OBSERVATIONS

ON THE

DISPUTE

BETWEEN THE

United States and France,

ADDRESSED

BY ROBERT GOODLOE HARPER, ESQ.

ONE OF THE REPRESENTATIVES IN CONGRESS FOR THE STATE OF SOUTH CAROLINA,

TO HIS CONSTITUENTS,

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IT will be recollected, my fellow-citizens, that while I have claimed, as one of the repreſentatives of the American people, the right of acting according to my own judgment, on all queſtions which concern their general intereſts, I have always deemed it my duty to you, from whom I received the appointment, to make you acquainted not only with my opinion and conduct on every important meaſure, but alſo with the reaſons by which I have been guided.

This duty I am now about to fulfil in a caſe of the higheſt importance. Having, on two former occaſions, declared to you in the moſt unreſerved manner, my opinion reſpecting the differences which have unfortunately ariſen between this country and France, I am now about to explain the reaſons whereon that opinion is founded.

After ſtating ſome conſiderations which have induced me to believe that the charges alleged againſt us by France are wholly unfounded, I ſhall endeavour to place her conduct and views reſpecting this country in their true light, and to develope the general ſyſtem of policy towards other nations, which ſhe appears to be purſuing. This part of the ſubject I apprehend will be found deſerving of particular attention; for without taking into view her general plan of foreign policy, it will be extremely difficult to diſcern the principles whereby her conduct towards ourſelves is directed.

And permit me, fellow-citizens, to introduce my remarks on this ſubject, by a declaration, to the truth whereof moſt of you can bear witneſs. Permit me to declare, that while France appeared to be engaged in a ſtruggle for liberty and national independence, no heart beat higher than mine with affection for her cauſe. I joined with enthuſiaſm in the general exultation of my country for

her victories, mourned for her diſaſters, and wiſhed to draw a veil over her crimes, her follies, and her exceſſes. Even her crimes appeared only as miſtakes in my eyes, and her moſt enormous atrocities as natural, and perhaps neceſſary conſequences of the violent external and internal ſtruggles wherein ſhe was engaged: I called them the crimes of the revolution, not of France, and I pardoned them. Where I could not pardon, I excuſed them, I palliated. I conſidered her as fighting in the cauſe of freedom and humanity; and an end ſo excellent afforded much conſolation for the means which ſhe often employed.

This end we have now ſeen her moſt fully attain. We have ſeen her repel all her enemies, and eſtabliſh her independence upon the firmeſt and moſt formidable baſis. We have ſeen her, inſtead of being cruſhed herſelf, threatening to cruſh all the ſurrounding ſtates; annexing ſome to herſelf, reducing others to an abſolute ſubſerviency to her will, and making deep inroads on the power of the reſt: we have ſeen her, after various revolutions at home, adopt at length the government for which ſhe contended, the government of her own free choice.

Why then, inſtead of confining herſelf to her own defence, has ſhe become the aſſailant? Why does ſhe refuſe that peace which her enemies have over and over propoſed, and whereby ſhe would be left in poſſeſſion of very large acquiſitions? Why, after renouncing repeatedly, and in the moſt formal manner, all idea of conqueſt, does ſhe ſtill preſs on to new conqueſts, and proudly refuſe even to treat for peace, unleſs all that ſhe has ſeized be firſt confirmed to her, and all that ſhe has loſt be firſt reſtored *?

Why does ſhe compel all thoſe ſtates, whoſe counſels ſhe can influence or control, to join her in the war?

* It is on this ground that ſhe has twice repulſed the advances of England and Auſtria; ſhe has expreſſly refuſed the baſis of *mutual reſtitution*, and declared that ſhe would not hear any propoſal reſting on it. This amounts to ſaying, All that I have taken I will keep, and all that you have taken you ſhall give up, and then I will hear what you have to ſay.

Why does ſhe endeavour to excite the Ruſſians and the Turks againſt Auſtria, which offers, and even ſolicits peace on terms highly advantageous to her? Why does ſhe attempt to bribe Pruſſia with a part of the ſpoils of Auſtria, to aſſiſt her in reducing it under her power? Why does ſhe ſtrive to arm every neutral ſtate againſt the commerce of the Engliſh, and to exclude their ſhips from every port? Why does ſhe declare that ſhe will never lay down her arms until ſhe has broken and deſtroyed the maritime ſtrength of England?

It is that ſhe has formed a plan of aggrandiſement at the expenſe of all her neighbours: that after the example of the Romans, thoſe ferocious and ſyſtematic deſtroyers of mankind, ſhe has reſolved to make all Europe, and finally the whole world, bend beneath her yoke; a reſolution, in the accompliſhment whereof ſhe purſues the Roman policy, of dividing to deſtroy; of bribing one nation with the ſpoils of another; of enticing the ſtronger to inaction, reducing the weak to ſubmiſſion; and by the reſources of the one, and the connivance of the other, breaking the ſtrength of thoſe whoſe power ſhe dreads, and whoſe policy ſhe cannot deceive.

And is this a project, my fellow-citizens, in which we ought to wiſh her ſucceſs? Is it deſirable that the balance of power, whereby the great nations of Europe have heretofore been mutually checked, and in ſome degree confined within the limits of juſtice and moderation, ſhould be wholly deſtroyed, to make way for one uncontrolled and deſpotic maſter, whoſe power being unchecked, muſt, from the very conſtitution of human nature, be conſtantly abuſed? Is this a plan which deſerves the good wiſhes of this country? Shall we be more ſafe when Europe ſhall have been reduced under the uncontrolled influence of France, than while her power is checked and balanced by that of other nations, who will be induced by the deſire of preſerving that balance to ſhield us from her aggreſſions? I believe that every principle of ſound policy will anſwer in the negative.

Had France, however, been content to purſue her projects of ambition in Europe, and leave us in peace,

though we might have wiſhed, for the good of humanity, to ſee them defeated, yet a due regard to our own intereſts, and even to thoſe of the civilized world, would have forbidden us to join in the attempt: for although we ſhould certainly be expoſed to temporary evils by the preponderance of her power, yet our ſtrength increaſes with a rapidity, which muſt place us, in a very ſhort time, beyond the reach of danger or dread; and may alſo enable us to preſerve the liberties of mankind, by forming a counterpoiſe and a check to the ambition of France, after they ſhall be loſt in Europe. This ſtrength would be greatly diminiſhed, and its increaſe long retarded, by a premature exertion. To remain in peace, therefore, amidſt the preſent conflict of empires, was a duty to ourſelves, to poſterity, and to the human race.

This wiſe policy, the reſult of deep foreſight, and of an enlightened regard to the intereſts of this country and of humanity, was early adopted by our Government. But France did not thus judge, nor ſo determine. She early ſaw in this country a powerful inſtrument for promoting her ambition, and ſhe early formed a reſolution to uſe it. Hence her efforts to gain the control of our affairs; hence her unceaſing endeavours to excite jealouſies againſt the Government, and diviſions among the people, to blow up our animoſities againſt England, and foment our ancient diſcontents. Hence thoſe unfounded pretenſions which we ſaw her firſt Miniſter ſet up; pretenſions which, if admitted, muſt have placed the affairs of this country entirely under his control. Hence did we ſee him, when the Government refuſed to yield to theſe pretenſions, treating it with inſult and outrage, and threatening to appeal from its deciſions to the people. We ſaw him arm and commiſſion privateers in our ports, againſt the expreſs orders of the Government, and ſend them to ſea in contempt of its authority. We ſaw him attempt to levy an army in our country, for the purpoſe of invading nations with whom we were in peace. We ſaw him make a formal complaint againſt the Preſident for refuſing to convene Congreſs at his inſtance.

All this he did in the avowed purſuit of the object of

his inſtructions, which, to uſe their own words, enjoined him "to excite to the utmoſt the zeal of the Americans, "and induce them, if poſſible, to make a common cauſe "with France*."

When he was recalled on our complaining of his conduct, our warm and partial regard for France induced us to hope, and even to believe, that the ſyſtem was relinquiſhed with the change of the Miniſter.

We ſoon however found our miſtake; we found that not the object, but the mode of purſuing it, had been changed; and that, inſtead of threats and bluſtering, whereby it was perceived that the plan was counteracted inſtead of being promoted, an artful inſidious courſe was adopted, more dangerous becauſe more deceptive.

With this change in the form, the principles and ſubſtance of Genet's ſyſtem were invariably purſued by his ſucceſſors: the ſame attempts to drive us from our neutrality under the pretence of preſerving it, were renewed and inceſſantly repeated: his moſt inadmiſſible pretenſions, thoſe pretenſions ſo incompatible with our ſovereignty, ſo repugnant to our ſyſtem of impartial neutrality, were renewed and unceaſingly urged; and the ſteady refuſal of our Government to yield to them, with its firm reſolution to perſiſt in conducting our affairs in the manner which it conceived moſt conducive to our intereſts, and moſt conſonant with juſtice towards other nations, have been made the ground of proceedings on the part of France, the moſt inſulting and injurious. The French Government has at length made that appeal to the people of America, which her Miniſters formerly threatened. It has explained its pretenſions, ſtated its complaints, and detailed its injuries. In revenge for thoſe injuries, as it informs us, it has broken the treaty between the two countries, let looſe its ſhips of war and privateers to pillage and maltreat our citizens, and has inſultingly driven from its territory a Miniſter ſent expreſſly to explain and conciliate. It has declared that it

* See the inſtructions to Mr. Genet, publiſhed by himſelf on the 20th of December 1793.

will hear nothing from us, until the injuries of which it complains are redreſſed; or, in other words, that we muſt ſubmit to the terms which it ſhall think proper to preſcribe, before it will deign to negotiate, or even to converſe, on the points in diſpute. It has informed us that it is "terrible to its enemies;" reminded us, as it has very frequently done before, that we are indebted to it for our independence; and promiſed "that when "we bring back our Government to its true prin-"ciples, we ſhall again be regarded as friends and "allies."

It has ſaid in effect, "You, Americans, whom we "redeemed from ſlavery, when you were about to ſink "again under the yoke of your former maſters, and "who for that reaſon ought to become in all things "ſubſervient to us, have inſtituted a government, "which, in the management of your affairs, has pre-"ſumed to judge for itſelf, and refuſed to be guided "by our directions. As a friendly admonition of our "juſt diſpleaſure, we take your veſſels, confiſcate "your property, and throw your citizens into dun-"geons and priſon-ſhips; for we are 'terrible to our "enemies.' But as ſoon as you ſhall reclaim your "government from its errors, and teach it to conform "to our will, you ſhall again be received into favour. "In the mean time, having ſignified to you our plea-"ſure, we expect ſilent and ſubmiſſive compliance. "We will hear nothing from you, or from this Govern-"ment which has given us offence, until you repent "and amend. The rod under which you now ſmart, "ſhall ſtill be extended over you, till you kiſs it, and "return to your duty. Then indeed will we hold out "the ſceptre of forgiveneſs; for, though 'terrible "to our enemies,' we are generous to our friends."— This is the plain language of their conduct, the true interpretation of their words.

And is America ſo low, ſo fallen, that ſhe muſt tamely and ſubmiſſively kiſs this rod? Has that ſpirit which twenty years ago, when ſhe had not half her preſent population, not a tenth part of her preſent wealth, no government, no bond of union among her

different parts, no experience of her ſtrength, no eſtabliſhments of national defence, no name, no exiſtence as a people, which then impelled her to reſiſt the haughty pretenſions and tyrannical encroachments of Britain, in the zenith of her power and elated by her recent triumph over the arms of France: is that ſpirit ſo totally extinguiſhed, that ſhe muſt crouch at the feet of this haughty, this ambitious republic, and, by abject ſubmiſſion, purchaſe a precarious, a diſhonourable quiet? Americans of 76, ye who fought at Bunker's Hill, at Bennington, at Quebec, at Saratoga, at Monmouth, at Guilford, King's Mountain, Eutaw, and the Cowpens; companions of Warren, of Montgomery, of Gates, of Mercer, of Morgan, of Wayne, of Green, and of Waſhington, where have ye retired? Has your courage ruſted with your ſwords; or is the ſoil which gave you birth, no longer capable of nouriſhing Patriots and Heroes? Shall your country, that country, which, notwithſtanding the inſulting taunts of this proud republic, your arms reſcued from the oppreſſion of a tyrannical parent, ſhall it reap no other fruit from your toils and your blood, than to be reduced under the obedience of an unjuſt and ambitious neighbour, who in return for benefits always gratefully acknowledged, though conferred becauſe they were uſeful to herſelf, and with which for four years paſt ſhe has never ceaſed to upbraid us, claims a ſurrender of our intereſts and our rights, and the direction of our affairs? I hear you with one voice anſwer, NO. "The ſons of America," I hear you cry, "ſhould her wiſe and moderate endeavours to preſerve her rights by peaceable means ſtill "prove unſucceſsful, will again at her call beat their "plowſhares into ſwords; and the proud and inſolent "aggreſſors ſhall ſoon be convinced, that a brave and "juſt people, though long patient under injuries from "thoſe whom once it loved, will rouſe at laſt, and, "deſirous of peace, will remember that it muſt ſometimes be preſerved by war."

The American people, then, my fellow-citizens, and you as part of them, are called upon to decide between their own government, and that of another nation; to

decide whether their affairs ſhall be conducted by thoſe whom they have ſelected for that purpoſe from among themſelves, or by the agents of a foreign power: whether that power, under pretence of a treaty, which it aſſerts an excluſive right to expound, and claims the privilege of violating as often as its operation ſhall be found diſadvantageous *, and of the law of nations, which it has publicly profeſſed to diſregard †, ſhall ſnatch the reins of our government from the hands in which we have placed them? Whether, in fine, they will give their confidence to men of their own choice, having the ſame intereſts with themſelves, or to ſtrangers and foreigners, charged with the intereſts of another country, and always ſeeking to promote them at our expenſe? Can the deciſion be difficult?

And what are theſe pretenſions, which France enforces by the plunder of our merchants, and the impriſonment of our citizens? What are thoſe injuries which ſhe avenges by inſulting our government and our country, and whereof, with a more than magiſterial haughtineſs, ſhe declares, that the redreſs ſhall precede all explanation?

She complains of our treaty with Great Britain, of

* See Mr. Adet's note of October 27, 1796; where this right is expreſsly aſſerted.

† See the letter of M. Tilly, French Chargé des Affaires at Genoa, to the Secretary of State of that republic, dated July 24, 1794: Debrett's State Papers, vol. ii. p. 347—In a controverſy between them, the Genoeſe Secretary relied on the law of nations: M. Tilly replied, "that he did not acknowledge as public "rights *(droits publics*, which ought to have been tranſlated "*public laws)* papers drawn up under the authority of kings." It was to aſcertain and eſtabliſh the true public law, he ſaid, that the French had taken up arms. "Until this work of theirs," he adds, "ſhall be completed, their miniſters, reſident in foreign ſtates, "are bound proviſionally to make the French name reſpected, by "conducting themſelves conformably to reaſon and juſtice, which "are the only baſis of true public rights." Of this *reaſon and juſtice* the French themſelves were to be the judges; and under this pretence they were to control and ſet aſide the eſtabliſhed law of nations.

This was pretty much of a piece with the declaration of Mr. Genet, who thanked God that he had long ſince forgotten what was contained in the *worm-eaten volumes of Vattel, Grotius, and Puffendorf.*

the conſtruction which we have put on ſome articles of her own treaties with us; of our refuſal to form a new and more comprehenſive treaty with her; of a backwardneſs, which, ſhe ſays, has appeared on our part to accept her aſſiſtance in our negotiation with Algiers, and of violations of our neutrality, which, ſhe alleges, we have authorized, or winked at, in favour of England. Of the Britiſh treaty ſhe complains, "that it is a violation of the treaty concluded with France 1778, and equivalent to a treaty of alliance with Great Britain." She declares that, in this treaty, "the United States have knowingly and evidently ſacrificed their connexions with the republic, and the moſt eſſential and leaſt conteſted prerogatives of the neutrality."

But in this treaty the rights of France are expreſsly ſecured; for, in twenty-fifth article, it is provided, that "nothing in the treaty contained ſhall be conſtrued, or operate, contrary to former and exiſting public treaties with other ſovereigns or ſtates." How then can this treaty infringe the rights of France, or violate the treaty ſubſiſting between her and this country?

But ſhe replies, it makes conceſſions to Great Britain of important rights. Admitting this to be true, France could not complain; for thoſe rights would immediately become common to her: it being expreſsly ſtipulated in the ſecond article of her treaty with us, "that neither of the parties ſhall grant any particular favour to other nations, in reſpect of commerce or navigation, which ſhall not immediately become common to the other party, who ſhall enjoy the ſame favour freely, if the conceſſion is freely made, or, on allowing the ſame compenſation, if the conceſſion was conditional." Each party, therefore, may make conceſſions to other nations. There is nothing in the treaty which forbids it; and, if it ſhould be done, the other party cannot complain: it however becomes entitled to the benefit of the conceſſion.

But what right have we conceded to the Britiſh by the late treaty? France charges us with having conceded to them the right to take the goods of their enemies

out of our neutral ſhips; the right to conſider various articles as contraband, which are not ſo by the law of nations; and the right, in ſome caſes, to conſider even proviſions as contraband.

As to the right of taking enemies' goods out of neutral veſſels, it is not a right conceded to Britain by the treaty; the treaty ſays not one word about it, except that it ſhall hereafter become the ſubject of negotiation; and that if veſſels, in the mean time, ſhall be ſtopped on that account, they ſhall be releaſed with as little delay and inconvenience as poſſible. It is a right indiſputably given by the law of nations; and which Britain, though we urged her to the utmoſt of our power, refuſed to ſurrender at preſent; the exerciſe of it being of the greateſt importance to her in the preſent war: ſhe however intimated, that hereafter it might perhaps be relinquiſhed. It was then agreed that things ſhould remain, for the preſent, on the footing whereon the law of nations has placed them, and that hereafter negotiations ſhall take place on the ſubject. Does this look like conceding a right? What more could we do? Could we make war with Britain, to compel the relinquiſhment of this right? This, no doubt, was what France wiſhed; it has been the object of all her intrigues, all her threats, and all her complaints; but our government wiſely took a different reſolution.

That this right was given to Britain by the law of nations, we have the expreſs authority of Mr. Jefferſon, of every writer on this ſubject, and of France herſelf.

Mr. Jefferſon, in his letter to Mr. Genet of July 23, 1794, ſays, "I believe it cannot be doubted, that by "the general law of nations, the goods of a friend found "in the veſſels of an enemy are free, and *the goods of an* "*enemy found in the veſſels of a friend, are lawful prize.* "Upon this principle, I preſume, the Britiſh veſſels "have taken the property of French citizens found in "our veſſels; and I confeſs I ſhould be at a loſs on "what principle to reclaim it. It is true, that ſundry na- "tions, deſirous of avoiding the inconvenience of having "their veſſels ſtopt at ſea, &c. have, in many inſtances,

" introduced, by their ſpecial treaties, another principle " between them, that enemy bottoms ſhall make enemy " goods, and friendly bottoms friendly goods; *but this* " *is altogether the effect of particular treaties, control-* " *ling, in ſpecial caſes, the general principles of the law* " *of nations.* England has generally determined to ad- " here to the rigorous principle."—Afterwards, in his letter of Auguſt 16th, 1794, to our miniſter in Paris, on the ſubject of Mr. Genet's conduct, he ſays, " We " ſuppoſe it to have been long an eſtabliſhed princi- " ple of the law of nations, that the goods of a friend " are free in an enemy's veſſel; and *the goods of an* " *enemy lawful prize in the veſſels of a friend.* We " have eſtabliſhed a contrary principle, that free ſhips " ſhall make free goods, in our treaties with France, Hol- " land, and Pruſſia; it is our with to eſtabliſh it with " other nations; but this requires their conſent alſo, " and is a work of time. *In the mean time they have a* " *right to act on the general principle* (that enemies' " goods are prize on board of neutral ſhips), *without* " *giving us or France cauſe of complaint.*"

So ſay all the moſt reſpectable writers on the law of nations, with Vattel at their head, whoſe works, though treated with contempt by Mr. Genet, and called " worm- " eaten volumes," are acknowledged as authority by all the nations of Europe.

France, however, has ſufficiently proved, not only by her declarations, but by her conduct, that ſhe pays no regard to the writers on the law of nations, or to the law itſelf; but perhaps ſhe will permit her own laws and public acts to be relied on as authority.

By her treaty with this country in 1778, ſhe expreſsly relinquiſhed the right of taking enemies' goods out of neutral veſſels: ſhe did the ſame thing by her treaty with England in 1786; but why ſhould ſhe relinquiſh this right, if ſhe did not believe herſelf to have poſſeſſed it? How could ſhe poſſeſs it but by virtue of the law of nations? That ſhe did believe herſelf to poſſeſs it, is moſt evident, from her Marine Laws, in one of which, paſſed in the year 1744, and in force

when this treaty was made, it is provided, "that if "there are found on board of neutral veſſels, of what-"ever nation they may be, merchandiſes belonging to "the enemies of his Majeſty (which is the ſame as of "France), they ſhall be good prize, even though they "be not of the growth or manufacture of the enemies' "country."

If, then, it be not permitted by the law of nations to take enemies' goods out of neutral veſſels, the ſtanding marine regulations of France, which remained of force from 1744 to 1778, little leſs than half a century, were a plain and direct infringement of that law.

And yet France alleges that we have conceded to Great Britain the right to take the goods of her enemies out of our neutral veſſels!

She even pretends that the law of nations is altered in this reſpect, by what ſhe calls the principles of the modern law, introduced by the armed neutrality; and this modern law of nations, ſhe ſays, we have abandoned.

But what is this armed neutrality, by which the law of nations is ſaid to have been altered? What is this modern law of nations, by which the former ſyſtem is ſaid to have been ſuperſeded?

During the American war, the Empreſs of Ruſſia publiſhed a declaration of the principles on which ſhe would protect her ſubjects in carrying on commerce. One of theſe principles was, "that free ſhips ſhould "make free goods." She invited the neutral powers to join with her in this declaration, and ordered her fleet to arm in ſupport of it. Several of them did join, particularly Denmark, Sweden, and the other northern powers; and they entered into a convention to ſupport each other. This is what was called "the armed neu-"trality," which being no more than a partial agreement among certain ſtates, in the nature of a treaty, could make no alteration in the general law of nations. It could only, like any other treaty, modify that law with reſpect to the contracting parties themſelves.

Yet this agreement, thus partial in its extent, and violated ſince by its authors themſelves, is the modern

law of nations, for the eſtabliſhment and defence of which, the United States are required by France to engage, againſt the moſt obvious dictates of prudence, in a quarrel with the greateſt maritime power on earth.

If the charge of conceding to Britain the right to take the goods of France out of our veſſels (a right which the law of nations gives her, and which, far from conceding, we did all in our power to prevail on her to relinquiſh) has appeared to be wholly untrue; that which relates to contraband is equally void of foundation.

By the law of nations, there are certain goods which neutral nations cannot carry to one power at war, without their being good prize, if taken by the other; theſe goods are called *contraband*; they include, according to the beſt writers on the law of nations, "commodities "particularly uſed in war; ſuch as *arms*, military and "*naval* ſtores, *ſhip-timber*, *horſes*, and even proviſions "in certain junctures;" and the prohibitions reſt on this principle, that a nation engaged in war has a right, as a natural means of defence, to prevent its enemy, as far as it can, from being ſupplied with thoſe things which are peculiarly of uſe in carrying on the war. But though the law of nations enumerates the articles which ſhall be conſidered generally as contraband, and ſpecifies the particular caſes in which even other articles may be added to the liſt; yet in this reſpect, as in all others, its operation, as to particular ſtates, is liable to be reſtricted and modified by treaties between them. Two ſtates, for inſtance, have a right by the law of nations to conſider naval ſtores as contraband, and each to prevent the other from carrying them to its enemy, as far as this can be effected by capture and condemnation. But theſe two ſtates may agree mutually to relinquiſh this right, and may make a treaty for that purpoſe: this treaty does not alter the law of nations, as to others, any more than an agreement between two men, that neither of them ſhould go along ſuch a road, would prevent other people from uſing it: it only reſtricts the operation of the law as to themſelves.

Treaties of this kind are very uſual among nations: in ſome of them naval ſtores are agreed to be contraband; in others, not. In our treaty with France, made in the year 1778, the right to conſider ſhip-timber and naval ſtores as contraband, is mutually relinquiſhed. When we came to treat on this ſubject with Great Britain, we were anxious to prevail on her to relinquiſh it alſo; but ſhe refuſed: ſhe inſiſted on her right by the law of nations, and we had no means of compelling her to recede. Naval ſtores and ſhip-timber, therefore, notwithſtanding our efforts to get them excepted, continue to be contraband between us and Great Britain, as they were before the treaty.

And yet one of the accuſations of France againſt the United States, and againſt this treaty, is, that it has ceded to Britain the right of conſidering naval ſtores as contraband! We are charged with giving to Britain what ſhe had before, and what we ſtrove in vain to make her relinquiſh!

But, ſays France, if ſhip-timber and naval ſtores were contraband before, why mention them in the treaty? Becauſe it is uſeful, that the rules whereby the conduct of nations towards each other ſhould be regulated, ſhould become as public, as preciſe, as little doubtful as poſſible: any merchant can read a treaty, though every one does not find leiſure or opportunity to ſtudy the law of nations. For this reaſon, and a very good one it is, the enumeration was made.

The laſt accuſation of France againſt this treaty is, "that it concedes to Britain the right of conſidering "even proviſions as contraband; and thereby becomes "manifeſtly injurious to France, whoſe ſupplies from "this country it permits Britain to cut off." This charge is, if poſſible, even more void of foundation than the former.

The part of the treaty complained of, is the ſecond clauſe of the 18th article; which, inſtead of being a conceſſion by us to Britain, is a very valuable conceſſion by her to us; and far from offering any injury to France, muſt, when it affects her at all, operate very

much to her advantage. To prove this, nothing more is neceſſary than ſimply to recite the clauſe; which is in the following words:

" And whereas the difficulty of agreeing on the pre-
" ciſe caſes, in which alone proviſions and other articles
" not generally contraband, may be conſidered as
" ſuch, renders it expedient to provide againſt the incon-
" veniences and miſunderſtandings which might thence
" ariſe; it is further agreed, that whenever any ſuch
" articles, ſo becoming contraband, *according to the*
" *exiſting laws of nations*, ſhall, *for that reaſon*, be
" ſeized, the ſame ſhall not be *confiſcated*, but the
" owners thereof, ſhall be ſpeedily and completely in-
" demnified; and the captors, or, in their default, the
" government under whoſe authority they act, ſhall
" pay to the maſters or owners, of ſuch veſſels, the full
" value of all ſuch articles, with a reaſonable mercan-
" tile profit thereon, together with the freight, and alſo
" the demurrage incident to ſuch detention."

To what caſes do the regulation of this cauſe apply? To ſuch, and ſuch only, where proviſions, &c. may be regarded as contraband *by the exiſting law of nations*. Are there any ſuch caſes? No maxim in the law of nations is clearer or better eſtabliſhed, than that there are ſuch; and, if there are not, then it is manifeſt that the article is perfectly harmleſs. And when proviſions, &c. are ſeized in ſuch caſes, what is to be done with them? Inſtead of being confiſcated, as they might be by the law of nations, they are to be paid for with a mercantile profit, freight, and damages for the detention. In which caſe is the riſk to the merchant leaſt? Certainly in the latter, where his goods, if taken, are not, as in the former, to be condemned as prize, but paid for with profit and charges. Which regulation, that of the treaty, or that of the law of nations, is the moſt beneficial to France? Certainly that of the treaty; for, where the riſk is the leaſt, the merchant will be moſt inclined to ſend his proviſions: and on what account was this regulation adopted? To prevent thoſe *miſunderſtandings* which might ariſe between us and Britain, from the difficulty

of aſcertaining the caſes in which proviſions are made contraband by the law of nations.

And yet France alleges that we have ceded to Britain the right of conſidering proviſions as contraband! And yet this article, ſo juſt in itſelf, ſo liberal on the part of Britain, ſo beneficial to us, and ſo uſeful to France herſelf, has been laid hold of by her, as a ground of quarrel! Whence can proceed her diſpleaſure at this article? The true cauſe of it is to be found in the word "miſunderſtandings." The tendency of this article, to prevent "miſunderſtandings" between this country and Britain, has given umbrage to France; thoſe miſunderſtandings which it has been her unceaſing endeavour to foment, and her conſtant hope to blow up into a quarrel.

Hence, too, her anger at the treaty: hence thoſe objections ſo manifeſtly unfounded; thoſe flimſy pretexts which throw ſo thin a veil over her real motives. She ſaw many cauſes of difference exiſting between this country and England; ſhe ſaw thoſe cauſes aggravated by ancient reſentments and recent injuries; and ſhe looked, with confident and eager expectation, to the moment, which ſhe thought faſt approaching, when theſe differences ſhould produce an open rupture: then ſhould we become her aſſociates in the war; then would our commerce be cut off from her rival; then, like Holland and Belgium, ſhould we have been placed under the control of her agents, our ports poſſeſſed by her ſhips, our towns ſeized by her troops, our country pillaged to ſupply her armies, and our reſources exhauſted to repleniſh her treaſury. If we eſcaped the neceſſity of ſurrendering to her, as Holland has been compelled to do, important parts of our territory, as the price of what ſhe would not have failed to call "her protection," we ſhould have had much reaſon to rejoice in our good fortune.

Theſe proſpects, which ſhe regarded as ſo certain, and contemplated with ſo much pleaſure, were blaſted by the treaty. By it ſhe ſaw our differences compoſed, a mutual ſpirit of juſtice and conciliation reſtored, and

the foundation of a friendly and beneficial intercourſe ſolidly laid: hence, her efforts to prevent its concluſion; hence, her diſappointment and rage at its final accompliſhment.

Thus manifeſtly unfounded, fellow-citizens, thus plainly deſtitute of even plauſible appearances, are the oſtenſible objections; thus unfriendly and miſchievous to us are the real motives from which the French government declares, "that ſhe regards this treaty as a "violation of that between her and this country, as "equivalent to an alliance with Great Britain, and as "a wilful and evident ſacrifice, on the part of the "United States, of their connexions with France, and "of the moſt eſſential and leaſt conteſted rights of "neutrality."

Let us examine her next charge, the charge of having put a wrong and injurious conſtruction on ſome articles of her treaties with us.

Under this head ſhe complains, that, contrary to the 17th article of the treaty of commerce, we have ſuffered our courts of juſtice to take cognizance of prizes brought into our ports by her armed ſhips; that in violation of the ſame article, Britiſh ſhips of war, which have made prize of her veſſels, have been allowed ſhelter in our harbours: that we have ſuffered Britiſh ſhips to arm in our ports: that we have prevented the ſale of her prizes, which ſhe contends is permitted by the treaty: that a proviſion of the conſular convention, which makes part of the treaties, has been rendered ineffectual by our neglect to paſs laws for enabling the French conſuls to enforce their decrees: that our judges and magiſtrates, in contempt of the fifth article of this conſular convention, have required the maſters of French ſhips, applying for warrants againſt abſconding ſailors, to produce in evidence the original roll of their crews inſtead of the copy, whereby the power given to French conſuls of cauſing the arreſt of ſailors who deſert, has been greatly impeded: and finally, that, contrary to the 19th article of the treaty of com-

merce, we ſuffered a public ſhip of war belonging to France to be arreſted in one of our ports, for acts done on the high ſeas.

It is not of the deciſion of prize cauſes made by our courts, that France complains; it is the right to decide, which ſhe conteſts. She alleges, that by the treaty of 1778, article the 17th, our courts are prohibited, in all caſes whatſoever, from taking cognizance of captures made under colour of a French commiſſion. This is the true point of diſpute. If the courts be thus prohibited, their deciſions, however upright and legal in themſelves, muſt be improper. If, on the contrary, they have a right, notwithſtanding the treaty, to take cognizance, in certain caſes, of prizes made under pretence of French commiſſions, they muſt be the judges when thoſe caſes occur; and no complaint can be admitted againſt their deciſions.

I have ſaid, "under the pretence and colour of a "French commiſſion;" becauſe, if the allegation of the French government be well founded, our courts are precluded in all caſes where any thing called a French commiſſion is produced; they can take no cognizance; can inquire into nothing; conſequently they cannot even inquire whether the commiſſion be true or forged; whether the veſſel be in fact a privateer or a pirate.

To admit this pretenſion, would be to admit, in the words of Mr. Jefferſon*, "that any armed veſſel of "any nation, might cut away our own ſhips, or thoſe "of perſons coming to trade with us, from the wharfs "of Philadelphia, Charleſtown, or New York, and, by "calling them prizes, prevent our courts from redreſſ-"ing the wrong." Can it be conceived, that any nation would cede ſuch a right by treaty? The ſtipulations on this ſubject between us and France are mutual. Can it be conceived, that France has intended to cede, or now would permit, ſuch a right to us? We know perfectly well that ſhe would not.

* See his letter of Auguſt 1793, to Mr. Morris at Paris.

The 17th article of our treaty with France indeed ſtipulates, that the prizes made on its enemies by one party ſhall not "be arreſted or ſeized when they come "to enter the ports of the other; nor ſhall the "ſearchers or other officers of ſuch ports ſearch "ſuch prizes, or make any examination concerning "their lawfulneſs." But we contend that the prizes here intended are prizes made on the high ſeas, without the juriſdiction of either party; and not by its people, or by veſſels equipt or armed in its ports. We contend that, notwithſtanding this ſtipulation, we have a right to protect our own veſſels and thoſe of our neighbours, within our territories, and the juriſdiction of our laws; that we have a right to prevent veſſels from being armed and fitted in our ports for cruiſing againſt nations with whom we are at peace, and to reſtrain our citizens from carrying on war againſt thoſe nations under a foreign commiſſion. Theſe rights, we contend, we ought to enforce, by reſtoring property taken in contempt of them whenever it comes within our power. This, and this alone, our courts have done. In theſe three caſes alone have they taken property from French captors, and reſtored it to the owners—where it was taken, either within the juriſdiction of our laws; by our own citizens, under French commiſſions; or by veſſels fitted out, armed, or equipped for war in our ports.

Of this France complains. Her miniſter had armed and commiſſioned privateers in our ports; her armed veſſels had ſeized ſhips, not only within a league of our coaſt, to which diſtance, by the law of nations, the juriſdiction of every country extends, but even in the Delaware: our citizens had taken French commiſſions, and under them made prize of veſſels belonging to nations at peace with us. When prizes, made in either of theſe three caſes, were brought into our ports, the courts interfered, and after trials, in which the facts were proved, reſtored the property to the former owners. It is by this interference, ſo neceſſary for maintaining our neutrality and the inde-

pendence of our government, that France alleges we have broken the treaty.

But this interference is juſtified not only by neceſſity, but by the law of nations, and their univerſal practice. To theſe, however, France has ſhown that ſhe pays very little regard; and to diſcuſs the points would lead to too great a length. But fortunately, we are ſaved the trouble; ſhe has herſelf decided the queſtion in our favour. Her own laws now in force, and her own practice at this moment, ſupport our interpretation of the treaty. Let us now hear France againſt herſelf: her laws againſt her complaints.

A Commentary on the marine Laws of France, drawn up by an officer * of the government, and firſt publiſhed under its authority, 1776, ſays, "that as far "as the diſtance of two leagues, the ſea, according to "the rule univerſally acknowledged, is under the do-"minion of the ſovereign of the neighbouring coaſt; "the effect of which dominion is, that within it every "ſovereign has a right *to protect foreign commerce*, as "well as to ſecure its own territories from inſult." How is foreign commerce to be protected within our dominion? Certainly, by reſtoring property taken there. In extending our dominion only one league from the coaſt, we have gone only half as far as France goes herſelf; and yet ſhe accuſes us of breaking the treaty, becauſe we do not ſuffer her privateers to take veſſels on our ſhores, and even in our rivers.

The marine Ordinances of France, which are now in force, and which her commiſſions to privateers require to be obſerved, "prohibit all her ſubjects from taking "commiſſions from foreign kings, princes, or ſtates, to "arm veſſels of war, or to cruiſe at ſea under their "colours, wtthout expreſs permiſſion, under pain of "being treated as pirates."—"Theſe rules," ſays the Commentary, "have no exception; they extend to all "commiſſions from friends or allies, as well as neu-"trals, and include all Frenchmen, whether they dwell

* Valin,

" in France or in foreign countries; for Frenchmen " are not leſs Frenchmen for having gone to live in " foreign parts*."

Thus, what has been long practiſed and is now eſtabliſhed in France, we have done, and no more; and yet ſhe complains. We have forbidden our citizens to take commiſſions from her, againſt nations with whom we are at peace; and, as the only method of enforcing this prohibition, we have reſtored property taken in contempt of it; and, in all this, we have preciſely practiſed her own rules. Yet ſhe charges us with breaking the treaty.

The whole ſcope and tenour of her laws forbids veſſels under foreign commiſſions from arming in her ports, againſt nations in peace with her. This we have alſo forbidden, after her example; and we have enforced the prohibition, by ſtopping and diſarming the veſſels when in our power, and by reſtoring the property which they had taken and brought into our country. And this France alleges as a breach of the treaty.

She next accuſes us of another infraction, in ſuffering ſhips of war of her enemies, which have made prizes on her citizens, to find an aſylum in our ports.

The treaty in article 17th provides, that " no ſhel- " ter or refuge ſhall be given in the ports of either " party, to ſuch as ſhall have made prize of the ſub- " jects, people, or property of the other;" and the 22d article forbids " foreign privateers, in enmity with one " party, to ſell or exchange their ſhips or prizes in the " ports of the other."

Now it is clear, that nothing is expreſſly forbidden here, but the ſale or exchange of prizes, and the entrance of ſhips that had taken prizes; the prizes themſelves, according to the literal conſtruction, might be ſent in, though not ſold; and this would have been a great advantage to the captors: this advantage the United States ſuppoſed that the treaty did not intend to give to the enemies of France.

* See Valin, vol. ii. page 276.

Beſide, if no Britiſh ſhip of war, which had ever taken a French prize, could be admitted into our ports, how was the fact to be eſtabliſhed? The Britiſh might deny the fact: could we take it for granted, becauſe aſſerted by the French? or muſt we in every caſe, before we could ſend off the veſſel, inſtitute a ſuit to decide whether at any time, or in any part of the world, ſhe had taken a French prize? This, it is evident, would have been a ſubject of endleſs and vexatious contention.

Our government, therefore, adopted a conſtruction more beneficial to France, more conformable to the ſpirit of the treaty, and much eaſier of execution. Inſtead of admitting prizes made on France by her enemies, and excluding all veſſels which were charged with having made them, it reſolved to exclude the prizes in all caſes, and to admit all ſhips of war, except ſuch as might attempt to come in *with their prizes*; thoſe were to be, and have been, excluded.

France complains of this conſtruction, and calls it a breach of the treaty: ſhe does not recollect that if we were to adopt her conſtruction, and follow the letter of the article, we ſhould do her a much greater injury, by admitting all the prizes which her enemies might think fit to ſend in.

Another breach of the treaty with which ſhe charges us, is, that we have permitted Britiſh ſhips to arm for war in our ports.

This charge is directly contrary to the fact; the ſtricteſt orders have always exiſted againſt ſuch armaments; and every attempt to make them has been prevented as ſoon as known to the government; two or three inſtances have been mentioned, in which veſſels armed and went out, before the government, or even the French miniſter or conſuls, had information of it. But what could be done after the veſſels were gone? Had they returned, they would have been ſeized; and their prizes, had they come within our power, would have been reſtored to the owners. But neither of thoſe caſes happened; and I would aſk

again, what could be done after the veſſels were gone? Go to war, France would have ſaid, to revenge the injury: this was her aim, and this ſhe did ſay over and over, though not in expreſs words. But if acts like this had been a proper reaſon for going to war, we ought to have attacked France herſelf long ago; for ſhe has attempted ten armaments, where the Engliſh have attempted one: and ſeveral of them, moreover, her miniſter ſent to ſea, againſt the expreſs orders of the government, and in contempt of its authority.

As to the ſale of her prizes in our ports, for preventing which ſhe charges us with another infraction of the treaty, ſhe has by the treaty no ſuch right: there is not one word ſaid about her prizes; except that ſhe may bring them in and carry them away. This, ſhe ſays, is the ſame thing as a permiſſion to ſell; but common ſenſe, and the plain meaning of words, ſay otherwiſe. Her own laws alſo ſay otherwiſe; which, notwithſtanding this treaty with us, expreſſly forbid the ſale of foreign prizes in her ports.

We did indeed, for a time, permit the ſale of her prizes in this country, as a matter of ſpecial favour; but we ſoon found this permiſſion productive of many ill effects. Our ſea-ports having become the reſort and ſtation of privateers, whoſe crews are generally amongſt the moſt profligate of mankind, were converted into ſcenes of riot; many diſorders took place, our citizens were drawn off from their regular induſtry, and by the introduction of goods under pretence of prize, frauds on the revenue began to be practiſed. The permiſſion, therefore, was very properly revoked; the only ſubject of regret is, that it ever was granted.

The conſular convention comes next into view; this convention makes part of the treaties between us and France, and ſhe alleges that we have infringed it in two points.

The 12th article provides, that the conſuls of France and the United States ſhall poſſeſs the power of deciding, reſpectively, all differences which may ariſe between the people of one country in the territories of

the other. We have never hindered the French conſuls from deciding all ſuch controverſies between French citizens; but the French government has lately found out, that we have paſſed no law to enable thoſe conſuls to enforce their deciſions. It might be aſked, why has this matter reſted in ſilence ſo long? Why has nothing been heard of this complaint till now; although the fact complained of has exiſted for more than eight years? We might remark on the extraordinary and unprecedented nature of the complaint itſelf; whereby, contrary to univerſal uſage, and the firſt principles of national ſovereignty, a government is required to put compulſory proceſs into the hands of perſons not amenable to its laws, for the purpoſe of enforcing deciſions not under the control of its judiciary authority: but it will be ſufficient to obſerve, that France herſelf has never paſſed, or been required by us to paſs, any ſuch laws as ſhe demands from us; and that it moſt evidently appears, from the convention itſelf, that no ſuch laws were ever intended to take place in either country, ſince the decrees of the conſuls are to be enforced againſt the parties by their own governments reſpectively; to whoſe courts the right of appeal, and of courſe the power of reverſing, confirming, and executing the decrees, is expreſſly and ſolely reſerved.

Another article of this convention authorizes the conſuls of each nation reſpectively, to cauſe the deſerting ſailors of their nation to be arreſted and delivered to the captains, on application to a magiſtrate of the country, and the production of proof. The French government has lately found out, that our magiſtrates, when applied to for the arreſt of their ſailors, require the original articles to be produced. Thoſe articles contain the agreement of the ſailors, and are ſigned by them. They remain on board the ſhip, and are the only authentic document by which any diſpute between the captain and ſailors can be decided. It is an invariable and moſt excellent maxim of our laws, that no copy of a paper can be produced in evidence,

eſpecially where life or liberty is to be affected by it, unleſs the paper itſelf be proved to be deſtroyed, or in the power of the other party. In conformity to this maxim, our magiſtrates very properly require, that the original articles themſelves ſhould be produced to prove that a man belongs to the ſhip, before they arreſt him for deſerting from it *; of this the French government, after eight years ſilence, has at length bethought itſelf to complain. It calls this a breach of the conſular convention, and alleges that copies of the articles certified from the conſul's office, ought to be received; although it is moſt evident, from the ſlighteſt view of the conſular convention, that the copies whereof it ſpeaks, are wholly of a different kind, and to be uſed for a different purpoſe.

I have explained theſe two points thus particularly, not from a belief that they are of the leaſt weight or importance, even in the eyes of France herſelf; but to ſhow with what eagerneſs ſhe catches at the moſt futile accuſations againſt this country.

The laſt accuſation under the head of breaking treaties, is, if poſſible, more extraordinary than any of the former. France accuſes us of having broken the 19th article of the treaty, by permitting a public ſhip of war belonging to the republic to be arreſted in one of our ports for an act done on the high ſeas. Would it be believed that this ſhip, arreſted by proceſs of the courts, at the inſtance of a citizen, and for a moſt reprehenſible act, had been actually releaſed by the interference of the executive, on the expreſs ground, that being a public ſhip of war, ſhe was protected by the treaty? Yet ſuch is the fact. Complaint being made of her arreſt by the French miniſter, the executive directed the attorney-general to file the neceſſary proceedings in the court for obtaining her releaſe. He did ſo, and after hearing the caſe ſhe was releaſed; but as the forms of the court, the priority of other buſineſs,

* The convention itſelf alſo expreſsly requires, that the original roll, or regiſter, ſhould be produced.

and the courſe of proceedings, did not admit of a deciſion ſo ſpeedy as Mr. Adet deſired, he refuſed to accept the veſſel after ſhe was releaſed, and declared that he would abandon her to the government, and claim damages. Theſe damages have never been refuſed, nor even demanded; and yet becauſe the preſident would not undertake, at the inſtance of a foreign miniſter, to over-rule the courts of juſtice, whoſe independence is expreſsly ſecured by the conſtitution; becauſe he would not, with a ſtrong hand, arreſt their proceedings, and, in open defiance of the conſtitution and the laws, wreſt from their hands the object of their deliberations; we are accuſed of having broken our treaty with France! We are charged with an arreſt, which, inſtead of ſanctioning, we cauſed to be removed; we are charged with breaking a treaty by an act which we redreſſed!

Such are the grounds whereon for four years together, and in terms the moſt diſreſpectful, we have been unceaſingly charged with violation of treaties!

But we have refuſed, ſhe ſays, to enter into a new and more extenſive treaty with her. She ſays, that under "the moſt frivolous pretexts *," we have evaded all her advances to a new negotiation. This alſo is an accuſation againſt us, made by the miniſter Genet, and which Mr. Adet has renewed and enforced.

But had we not a right, without offending France, to decline a new treaty if we thought it would not ſuit us? We already had a treaty; was it a ground of quarrel that we were ſatisfied with it? Why was a new treaty propoſed? For our benefit? If ſo, we were the proper judges how far it was beneficial. For the benefit of France? In that caſe we certainly had a right to decide, how far the advantage which ſhe deſired was compatible with our own intereſts. Who ever heard, that to decline an advantageous bargain ourſelves, or to refuſe one to another perſon, was a cauſe of offence?

The truth however is, that we did not decline this

* See Mr. Adet's note.

negotiation; we did not wiſh it indeed, but our government was willing to hear what France had to ſay on the ſubject, and frequently expreſſed its willingneſs. The propoſition was firſt made by Mr. Genet, in May 1793; but Mr. Jefferſon, at that time ſecretary of ſtate, informed him, that the buſineſs could not be entered on immediately, becauſe the ſenate was not in ſeſſion. He renewed the ſubject the September following; but before that time he had behaved ſo much amiſs, that the government had requeſted his recall, and did not think fit to communicate with him, except on matters of immediate and preſſing neceſſity; it therefore politely waved the buſineſs, with an aſſurance "that it ſhould be conſidered, with all the reſpect and intereſt which its object neceſſarily required."

His ſucceſſor, Mr. Fauchet, never mentioned the new negotiation; the next that we heard of it was from Mr. Adet, in June 1795. The preſident immediately met his advances, and directed the ſecretary of ſtate to enter on the negotiation without delay. He informed Mr. Adet of this, and propoſed a mode of proceeding; Mr. Adet promiſed to enter on the buſineſs; but he poſtponed it from time to time, on the plea of indiſpoſition or buſineſs; and it was finally *dropt by himſelf.*

And yet Mr. Adet ſays, "that his offers to treat "were evaded, under the moſt frivolous pretexts."

But although our government was willing, and even deſirous, to hear what France had to propoſe on the ſubject of a new treaty, it could not have agreed to one on the terms which ſhe held out, without ſacrificing the beſt intereſts of this country.

Thoſe terms are to be found in Mr. Genet's inſtructions, by which Mr. Adet, when preſſed on the ſubject, declared that he alſo was to be guided; and from thoſe inſtructions it appears undeniably, that our joining France in the war, engaging to defend her iſlands, and forming an alliance offenſive and defenſive, were to be eſſential conditions of the new treaty;

an extenſion of commercial privileges with the iſlands, was the lure thrown out to us.

The inſtructions begin with declaring, "that the "executive council have highly approved the overtures "made to a former miniſter, by the American go- "vernment, on the means of renewing and conſolida- "ting the commercial treaties between the two coun- "tries, and are diſpoſed to ſet on foot a new negotia- "tion on thoſe foundations—that they do not know "but that ſuch a treaty admits a latitude *ſtill more ex- "tenſive* in becoming *a national agreement*, in which "two great nations ſhall ſuſpend (that is, according "to the French expreſſion, ſhall cloſely unite) their "*political* and commercial intereſts, and eſtabliſh a "mutual underſtanding *to befriend the empire of liberty "wherever it can be embraced, to guarantee the ſovereign- "ty of the people, and to puniſh thoſe powers who ſtill "keep up an excluſive colonial and commercial ſyſtem*, "by declaring that their veſſels ſhall not be received "in the ports of the contracting parties."—"Such a "pact," they add, "will quickly contribute to the ge- "neral emancipation of the new world."

This "general emancipation of the new world," we know was to include the liberation of the ſlaves, whom this very French government ſoon after ſet free in its iſlands.

"Beſides the advantages," continue the inſtructions, "which humanity in general will draw from the ſuc- "ceſs of ſuch a negotiation, *we* (the French) have, at "this moment, a *particular intereſt* in taking ſteps to "act efficaciouſly againſt England and Spain, if, as "every thing announces, thoſe powers ſhould attack "us. In this ſituation of affairs, we ought to *excite*, "*by all poſſible means, the zeal of the Americans*, who "are as much intereſted as ourſelves in diſconcerting "the deſtructive projects of George the Third. The exe- "cutive council has room to believe, that theſe reaſons, "in addition to the *great commercial advantages* which "we are diſpoſed to concede to the United States, will "determine their government to adhere to all that

" citizen Genet ſhall propoſe to them on our part—
" and the executive charges him, *in expectation that the*
" *American government will finally make a common cauſe*
" *with us*, to take ſuch ſteps as exigencies may require."

Hence it manifeſtly appears, that we were to make a *common cauſe* with France, for her intereſt, againſt Great Britain and Spain, and that *commercial advantages* were to be our wages. Subſequent parts of the inſtructions are ſtill more explicit.

" The executive council recommends it eſpecially
" to citizen Genet, to ſound early the diſpoſition of
" the American government, and to make it (the
" guarantee of their iſlands) a condition *ſine qua non* of
" their free commerce with the Weſt Indies, ſo eſſen-
" tial to the United States. It nearly concerns the
" peace and proſperity of the French nation, that a
" people, whoſe reſources increaſe beyond all calcu-
" lation, and whom nature has placed ſo near our rich
" colonies, ſhould be intereſted, by their own engage-
" ments, in the preſervation of theſe iſlands. Citizen
" Genet will find the leſs difficulty in making this pro-
" poſition reliſhed in the United States, as the great trade
" which will be the reward of it, will *indemnify them*
" *ultimately* for the *ſacrifices* which they may make in
" the outſet; and we ſhall immediately put ourſelves
" in a condition to fulfil our engagements, by ſending
" to the American ports a ſufficient force to put them
" beyond inſult, and to facilitate their intercourſe with
" the iſlands and with France."

I have been the more full and particular in citing theſe inſtructions, becauſe they not only prove inconteſtably, what were to be the conditions of the new treaty propoſed to us by France, but alſo that her project, from the beginning of the war, was to draw us into it. We ſhall preſently ſee that, although ſhe recalled Mr. Genet, ſhe neither diſapproved his meaſures, nor abandoned this project.

That the refuſal of our government to enter into a new treaty on theſe terms, ſhould have been matter of diſpleaſure and vexation to France, is perfectly natural;

becauſe it diſconcerted one of her moſt favourite ſchemes; but none of its meaſures have either merited or received, more warmly or more univerſally, the approbation and thanks of this country.

And yet France has made it one of her charges againſt us, that we have evaded this new treaty "under "the moſt frivolous pretexts!"

She has gone further. She has accuſed us of having "eluded her friendly offers of aſſiſtance in our nego- "tiations with Algiers."

Here again I would aſk, whether we had not a right to decline her mediation in this buſineſs, if we thought fit? Are we to make no treaties without not only conſulting France, but employing alſo her aſſiſtance? Should one of my neighbours offer to interfere in compoſing a difference between me and another, ſurely I might decline his interference without giving him cauſe of offence? He might think it very unfriendly, or very unwiſe: but ſurely it would not authorize him to quarrel with me?

The truth however is, that, far from "eluding" this friendly offer of France, we ſhowed the utmoſt readineſs, and even inclination, to avail ourſelves of it to the utmoſt. Our miniſter in Portugal, to whom the Algerine negotiation was entruſted, went firſt to Paris, "in order to engage the aſſiſtance of the French go- "vernment;" in the mean time he ſent an agent immediately to Algiers to pave the way; and as the Algerines are known to be a very fickle, capricious people, difficult to be managed, and capable of being dealt with at particular times only, he furniſhed this agent with proper powers, that he might avail himſelf of any favourable moment which ſhould chance to offer. Such a moment did offer very ſoon after his arrival: he ſeized it, and concluded a treaty, diſagreeable indeed, but far better than none, and more favourable than Algiers has lately, if ever, made with any other country.

Ought he to have loſt this moment in waiting for the aſſiſtance of France? Before the orders from France

could arrive, the opportunity might have paſſed away, never to return.

Beſides; our agent, who concluded the treaty, declares that neither France, nor her conſul, had the leaſt intereſt with the Algerine government at that time. It was for this reaſon, he ſays, that he did not requeſt the aſſiſtance of the French conſul; which would have only injured the cauſe. But he applied for this aſſiſtance in negotiating with the other Barbary ſtates, where the French were ſuppoſed to poſſeſs influence.

So much for this complaint: the bitterneſs with which it is urged gives ſome ground to ſuſpect that her anger does not ariſe from our having made a treaty without her aſſiſtance, but from our having made one at all; and, that her interference was intended to prevent, not to promote the object. It is very difficult to believe that the freedom of our flag, and the extenſion of our commerce in the Mediterranean, can be deſirable objects to her, or to any other commercial power.

She charges us further, with having authorized, or permitted, various infractions of our neutrality by the Engliſh, or in their favour.

One of theſe infractions is, the impreſſment of our ſeamen by Britiſh ſhips of war: we have not adopted, ſhe ſays, or at leaſt *have not made known to her*, any efficacious meaſures for repelling this violence, whereby her enemies are ſuffered to ſupport and increaſe their maritime forces from among our citizens.

In the firſt place, we have adopted ſuch meaſures as we judged moſt efficacious for this purpoſe; and thoſe meaſures being public, were known to France. Our government has, at all times, reſiſted the impreſſment of our ſeamen, by every means ſhort of hoſtility; and early in the year 1796, before this complaint was made, Congreſs paſſed an act, for the ſole purpoſe of protecting and relieving American ſeamen from impreſſment. Theſe meaſures, indeed, were not ſuch as France wiſhed, and probably hoped to ſee adopted;

for they were calculated to produce the effect *without hoſtility*. But they were ſuch as our own government, to whom, and not to France, we have entruſted the protection of our citizens, conſidered as the moſt adviſable.

As to our not having informed France of theſe meaſures, it is not true; ſhe did not need information of a public law, which was printed in the newſpapers; and ſhe knew that other meaſures were purſued, though ſhe ſaid that they were not *efficacious:* we well know what ſhe means by *efficacious* meaſures; but on this point we, and not France, were the proper judges.

And let me be permitted to aſk, what obligation we were under to inform France of our meaſures? Is ſhe to preſcribe to us in what manner our citizens are to be protected? If, under pretence that the *inefficacious* manner in which we conduct our affairs operates to her injury, ſhe may direct and control us, there is an end of our independence. This complaint is of a piece with that of Mr. Genet againſt the preſident, " for " refuſing to convene Congreſs at his inſtance."

We have alſo, ſhe ſays, reſtrained our citizens from receiving commiſſions from her, or ſerving on board of her armed veſſels.

We have indeed done ſo, and it was our duty; a duty enjoined by our own peace and ſafety, and by the impartial juſtice which we wiſhed to obſerve towards other nations. We never objected to our citizens going to France, and engaging in her ſervice, which many of them did; but we objected to their receiving commiſſions from her in our own country, or entering on board of her privateers, to rob thoſe who were coming peaceably to trade with us. This was conformable to prudence, as well as juſtice; and it was, moreover, what we had ſtipulated with her to do, and to the utmoſt of our power had done, in the caſe of her enemies.

It is worth while to remark the inconſiſteney of theſe two complaints. She firſt quarrels with us becauſe we could not prevent, in her own words, " the " marine of England from being augmented by our

" ſeamen :" And in the ſame breath, ſhe accuſes us of infringing the laws of neutrality, by prohibiting our ſeamen to ſerve in her privateers! We forbad both ; and as far as we could, we prevented both ; but unfortunately, it was not always in our power to prevent either ; and yet ſhe quarrels with us, for not preventing, even by hoſtility, in the caſe of her enemies, the ſame thing, which ſhe alſo quarrels with us, for having attempted to prevent in her own caſe! Such is the juſtice, moderation, and impartiality of France.

We are alſo charged with permitting the Engliſh to violate our neutrality, by capturing French property on board of our ſhips ; and even American property when bound to, or from the ports of France.

As to the capture of French property on board of our ſhips, it has already appeared to be a right which Britain poſſeſſes by the Laws of Neutrality. How then can the permiſſion of its exerciſe be a breach of them? But we never did willingly permit its exerciſe. We acquieſced in it indeed, becauſe we knew that the right exiſted, which the Engliſh, notwithſtanding all our endeavours, could not be induced to relinquiſh. Had it been in our power to induce her, we moſt certainly would have done ſo ; for, of all things, next to keeping out of the war, it was what we moſt deſired ; and what would moſt effectually have promoted our intereſts.

But France ſays, that our meaſures for this purpoſe were not *efficacious* ; and when ſhe ſays ſo, we well know what ſhe means. The inſtructions to Mr. Genet, and the whole tenour of her conduct, leave no doubt on that point.

With reſpect to the capture of American property, bound to or from French ports, we were ſo far from *permitting* it, that after remonſtrating in the firmeſt manner, though not in terms of outrage and inſult, we demanded ſatisfaction, and armed to enforce it ; and had not the meaſure been diſcontinued, and reparation agreed on, there is no doubt that war would have been the conſequence. That we accepted this reparation, that

we did not fall into her views, *by making war in the firſt inſtance*, is the true cauſe of offence which we have given to France.

Another breach of neutrality with which ſhe charges us, is "That we ſuffered the Britiſh to declare her Iſlands in a ſtate of blockade!"

But I would aſk, how we were to prevent this declaration? Or how we were bound to prevent it, had we been able? France does not pretend that we were bound by treaty; the treaty of alliance, indeed, ſtipulates for a guarantee of her iſlands; but the treaty of alliance was purely defenſive, not offenſive; and it being perfectly certain, that ſhe was the aggreſſor in the war with England, the guarantee in this inſtance could not operate. But we were bound, ſhe ſays, by the laws of neutrality. How! can the laws of neutrality oblige us to defend the poſſeſſions of our neighbours? This would amount to ſaying that, Neutrality required us to enter into the war.

We know that by the law of nations, proviſions cannot be carried to a blockaded a place. The Britiſh declared, "that certain French iſlands were blockaded, "and that all perſons attempting to carry proviſions to "them, ſhould be dealt with *according to the law of* "*nations*." While they adhered to this declaration, and "dealt with us *according to the law of nations*," we had no right to complain; whenever, under colour of the declaration, they infringed the law of nations, they have engaged to make reparation, and are purſuing the moſt effectual meaſures for fulfilling the engagement.

In the mean time, as theſe blockaded iſlands were prevented from receiving proviſions, France ſuffered an injury; but it was an injury which we could not prevent; for we had no fleet to drive away the Engliſh ſhips which formed the blockade. Even had we poſſeſſed a fleet, it would not have been incumbent on us to engage in a war, merely to ſave one of our neighbours from an inconvenience. We alſo ſuffered an injury: reparation for which we demanded, and are to receive.

Her next complaint, with which the long catalogue is terminated, reſts on an outrage offered to Mr. Fauchet, a former French miniſter, by a Britiſh ſhip of war in the waters of the United States; and which, ſhe ſays, we have ſuffered to paſs with impunity.

The outrage offered to Mr. Fauchet, was an attempt to ſeize his perſon and papers, on board of a veſſel in which he had taken his paſſage from New-York to Rhode-Iſland. The attempt was made by a Britiſh ſhip of war, lying near Newport in Rhode-Iſland. The veſſel was ſtopped, and the trunks of Mr. Fauchet's attendants were ſearched; he and his papers eſcaped; becauſe, having been informed of the deſign, he went aſhore, and proceeded to Newport by land: Perceiving that they had miſſed their prey, the Britiſh party releaſed the veſſel and thoſe on board.

When the Preſident heard of this daring inſult to our country, he felt and expreſſed a proper indignation; but as he received the information from one party only, prudence no leſs than juſtice, required that before he acted, he ſhould hear the other ſide. He accordingly directed enquiries to be made; having fully aſcertained the facts, he ordered the Britiſh man of war to depart immediately from our harbours, and directed that in caſe of her diſobedience for more than forty-eight hours, all intercourſe between her and the country would be cut off. Our miniſter at London was inſtructed to complain againſt the captain, and demand his puniſhment; this was done, but the captain, with his ſhip, was in Nova Scotia, from whence he went to the Weſt Indies. He lately returned to England, and as ſoon as it was known, the miniſter was ordered to renew his demand.

What could we do more? We could not ſeize him on board of his ſhip to puniſh him? We could not follow him to Nova Scotia, the Weſt Indies, or England, to puniſh him. If the Britiſh government ſhould neglect to puniſh him, ſhall we declare war againſt them to revenge this injury? Even France perhaps might allow, that this would be to buy vengeance at too dear a rate,

This is what France calls "ſuffering the inſult to her "miniſter to paſs with impunity!" And yet much greater lenity was exerciſed, when her conſul at Boſton, with an armed force, reſcued a veſſel from the officers of juſtice; and when one of Mr. Genet's illegal privateers reſiſted the cuſtom-houſe officers, and the militia ſent by the Preſident to arreſt her in the Delaware, and proceeded to ſea in defiance of his authority.

Such, my fellow-citizens, is a true picture of French grievances! Such are the injuries for which we have been ſubjected, during four years, to the importunate and inſulting remonſtrances of three ſucceſſive miniſters! for which we have been accuſed of making "an *inſidious* "proclamation of neutrality," of "ſacrificing France to "her enemies, and *proſtituting* our own rights to Great "Britain," of permitting "by a *perfidious complaiſance*, "the Engliſh to violate rights which our *honour* and in- "tereſts required us to defend," of "preſenting to "England under the cloak of neutrality, a poignard to "cut the throats of our faithful allies," of "partaking "in the tyrannical and *murderous* rage of Great Britain, "and joining with her to plunge France into the hor- "rors of famine,"* and of "covering our proceedings "with the veil of *diſſimulation*."

For ſuch injuries it is, that we have been inſultingly told of the "cold impartiality of our government," of our "inability to maintain our treaties,"† of having "abandoned our neutral ſituation through an *exceſſive* "*complaiſance* for England," of "amuſing the French "by *ſpecious correſpondences* to cloak our own inacti- "vity," of making "forced conſtructions of our treaties, "and endeavouring to throw a veil over the meaſures "of the Engliſh government," and that the reſpectable and heretofore unimpeached proceedings of our courts, have been termed "unjuſt chicaneries."

* See Mr. Adet's notes, and his letter of Sept. 29, 1795.

† See Mr. Fauchet's letters of May 2, and June 8, 1795. It is obvious, that his expreſſions, though more guarded than thoſe of his ſucceſſor, convey the ſame offenſive and inſulting meaning.

Theſe are the injuries, on account whereof the Preſident has been contemptuouſly charged with promulgating *philoſophical principles*; the expreſſion applied by France to that proclamation of neutrality, which ſhe, on another occaſion, terms *inſidious*, but which has received the ſanction of both Houſes of Congreſs, and the univerſal approbation of the American people: That the government has been accuſed of acting "under an *un-*"*known* influence, and of being guided by *foreign* im-"preſſions;" that we have been upbraided with "a "cowardly abandonment of our friends;" that we have been told "that we had no flag, no regard for our laws, "no reliance in our ſtrength, and no ſentiment of na-"tional dignity;" that France, by the mouth of her miniſters, has ſaid to us, "If we have been deceived, if "you are not able to maintain the ſovereignty of your "people, ſpeak; we ſupported it while we were ſlaves, "and we ſhall know how to render it reſpectable, now "that we are become free."*

It is in fine, for ſuch injuries as theſe, that our treaty with France has been expreſsly violated, that ſwarms of privateers have been let looſe upon our commerce, that our property to the amount of many millions of dollars has been plundered, that hundreds of our ſhips have been ſeized and condemned, multitudes of our ſailors thrown into jails and priſon ſhips, that our ſeamen, who may be found in Britiſh ſhips of war, although brought there by *compulſion*, are declared liable to be condemned as pirates;† and to fill up the meaſure of outrage, that a meſſenger of peace and conciliation, a miniſter expreſsly, "ſent to explain our "conduct, to remove miſunderſtandings, and reſtore "harmony," has been contemptuouſly driven away, without a reception or a hearing!

Having taken this view of the injuries complained of by France, permit me now, fellow-citizens, to make

* Thoſe are the words of Mr. Genet, in his letter of July 25, 1793. See alſo his letters of June 8 and 22, and of July 9, in the ſame year.

† This is by a late decree of the Directory.

ſome remarks on her pretenſions; permit me to trace a little the conſequences of a compliance with her demands; the nature and extent of the terms to which ſhe requires us to ſubmit.

This ſubmiſſion, it muſt be remembered, is to precede any explanation on our part, or even the reception of a miniſter. The directory told General Pinckney, through Mr. Munro, that France would receive no miniſter plenipotentiary from the United States, till all the injuries whereof ſhe had complained, and of which ſhe had a right to expect redreſs, ſhould firſt fully receive it.

The firſt of theſe injuries is the Britiſh treaty, which ſhe declares to be a violation of her's, and a departure in us from the principles of neutrality. This injury muſt be redreſſed; therefore the treaty, though ſanctioned by every branch of the government, and executed in part, muſt be broken: The poſts which have been given up under it, muſt be re-delivered; the proſpects of reimburſement for their loſſes which it affords to our merchants, muſt be renounced, and the commiſſioners now employed in deciding on their claims, muſt be recalled. In fine, our whole diſpute with Great Britain muſt be renewed under circumſtances of the higheſt aggravation, and we muſt be left to ſettle it by a new treaty under the direction of France, or by a war in her alliance.

Without all this it is moſt evident, that the injuries of which France complains under this treaty, cannot be redreſſed; and ſhe requires them to be redreſſed before ſhe will even hear our explanation.

She next complains againſt the deciſion of our courts. The conſtructions put upon our treaties and upon the law of nations by our courts, ſhe complains of as injuries, which, like the others, muſt be redreſſed before ſhe will liſten to us.

Therefore the deciſions of our courts, wherever ſhe complains of them, and that is in every caſe where they have been adverſe to her claims, muſt be reverſed. How is this to be done? Thoſe deciſions have been carried by appeals into the ſupreme courts of the Union,

and there confirmed. The judicial power is independent of the legiſlative and executive by the expreſs terms of our conſtitution, which, to render the courts more completely independent, provides that the judges ſhall not be diſplaced, like other officers, at the pleaſure of the preſident, but ſhall hold their places till turned out by impeachment. In the mean time there is no power in the government by which their deciſions can be altered. France, however, informs us, that they muſt be altered before ſhe will liſten to us.

It is plain, therefore, that in order to ſatisfy her, we muſt violate our conſtitution in its moſt valuable part, the independence of our judicial power.

And this is not all, we muſt place theſe courts hereafter under the controul of her miniſter, and reſtrain them from taking cognizance of any cauſes which he may pronounce improper for their interference; for France complains not only of the deciſions of our courts, but of their creating delay to her privateers, by taking cognizance of caſes which have finally been decided in her favor.

Therefore our courts having iſſued proceſs to bring a cauſe before them on the complaint of our citizens, muſt diſmiſs it on the orders of a French Miniſter. Should they refuſe to diſmiſs it, what then is to be done? The executive muſt interfere with a ſtrong hand and over-rule them, and this not from his own judgment, but at the inſtance of a French miniſter. Thus the public force of our country muſt be placed in the hands of a foreign agent, to be employed in compelling our courts of juſtice to ſubmit to his orders.

This is the very loweſt ſtage of dependence and degradation; and it is manifeſt, that this muſt be done before the demands of France can be ſatisfied; for there is no other method of preventing that interference of our courts whereof ſhe complains as one of her greateſt injuries.

The legiſlature muſt alſo ſhare in this degradation. It muſt be compelled to repeal one of its laws; for one of them, the act of June 5, 1794, unfortunately con-

firms the principles which had been adopted by our courts, and by the executive. This act accordingly is placed by France in the catalogue of her injuries, and muſt be repealed.

Therefore the legiſlature muſt hereafter aſk France what laws it ſhall enact, and what being already enacted, it ſhall ſuffer to remain: For it is evident, that if ſhe can inſiſt on the repeal of one law on the pretence of its being injurious to her intereſts, or contrary to her rights, ſhe may equally object to the continuance or the paſſing of any other, there being none to which this pretence may not be extended.*

When theſe obnoxious deciſions and laws ſhall be removed, then will France enter into the exerciſe of thoſe rights, which through them have hitherto, as ſhe alledges, been unjuſtly with-held from her. She will give commiſſions to our citizens in our own ports to privateer againſt her enemies with whom we are at peace. Theſe privateers, if they pleaſe, will capture veſſels on our coaſts, in our rivers, and even at our wharves, and our courts will be prevented from giving redreſs. She will arm veſſels in our ports, and if they can proceed to ſea by ſtealth, or in deſpight of the Preſident's authority, as they have heretofore done, neither they nor their prizes on their return into port, can be queſtioned by the courts. She will ſell her prizes in our country, whereby our harbours will again become a ſtation for her privateers, our towns over-run by their

* France has taken care to give us an example of the manner in which it may be extended, and in which ſhe would exerciſe this right, were we weak enough to concede it. We had indulged her with the privilege, not granted by the treaty, of ſelling her prizes in our ports. Finding afterwards that the indulgence had been abuſed, and operated in a manner very prejudicial to ourſelves, a bill was brought into the Houſe of Repreſentatives laſt year to prevent it in future; this bill paſſed with little oppoſition. Mr. Adet immediately entered a formal complaint againſt it, *as a breach of the treaty*, and concluded with expreſſing his hopes, "that the government would take the neceſſary "meaſures for preventing the effects of a law contrary to treaties, and "the duties of a neutral nation."

See his Letter of May 18, 1796, to the Secretary of State.

crews, our police inſulted and diſturbed, our regular commerce interrupted, and our revenue defrauded. She will even arm and equip veſſels for war in our ports, for the prohibition againſt it reſts at preſent on that law of June 5, 1794, whereof ſhe requires the repeal; and ſhould Britiſh ſhips of war enter our harbours, ſhe will alledge that they have at ſome time or other made prize on her citizens, as we, without waiting to examine the truth of her allegation, muſt compel them to depart.

All this is the plain and neceſſary conſequence of complying with her demands.

Having proceeded thus far, we muſt go on to declare war againſt England, or at leaſt to exclude her commerce from our ports, for the prevention and avengement of what France tells us are infractions of our neutrality and inſults to our honour. France tells us, that we have heretofore ſubmitted to theſe inſults, and winked at theſe infractions; that our meaſures to repel or redreſs them, have been *inefficacious*, and the inconvenience which ſhe ſuffers from this inefficacy, is numbered among the greateſt of her injuries.

It has already been ſeen, that theſe infractions and inſults conſiſt chiefly in the capture of French property in our veſſels, that is in the exerciſe of a right which we acknowledge, and the law of nations clearly ſupports. They alſo conſiſt in part of real injuries, whereof we have complained, and for which the authors have engaged to make, and now are making ample ſatisfaction. Theſe two deſcriptions include the whole liſt of "infractions and inſults." But if it were otherwiſe; if as France aſſerts, all the acts complained of were really infractions, and we had failed to obtain ſatisfaction, ſtill it is evident that the meaſures which we have adopted for that purpoſe, were the moſt efficacious in our power ſhort of hoſtility, or what would have immediately led to it. Since, therefore, ſhe requires us to adopt more efficacious meaſures, ſuch as ſhall ſatisfy her and remove the evil, it manifeſtly appears, that nothing ſhort of hoſtility, or meaſures that muſt ſpeedily end it, would content her.

Therefore we muſt make war on Great Britain, contrary to our own inclination, and to what, in our judgment the beſt intereſts of our country require.

When we ſhall have done all this, when we ſhall have broken our treaties, repealed our laws, and in contempt of our conſtitution, reverſed the moſt ſolemn deciſions of our courts; when we ſhall have placed the judical power of our country under the controul of a French miniſter, and abandoned the whole ſyſtem of our foreign policy, ſo wiſe and adopted after ſo much deliberation; when we ſhall have placed our ports, our rivers, and our commerce at the mercy of French privateers, and engaged in a war with the enemies of France, to compel the ſurrender of an acknowledged right, becauſe its exerciſe happens to be inconvenient to her! when we ſhall have done all this, what will be gained? Will France then reſtrain her privateers, reſtore our property, and reſpect our few remaining rights? No! She promiſes no ſuch thing; ſhe requires all this to be done as a preliminary, and when it is done, ſhe will then hear what we have to ſay, and will ſignify to us her further pleaſure.

And are the people of America, who once generouſly reſolved to maintain their independence, or die in the laſt ditch, are you my fellow-citizens, whoſe blood has often flowed in the cauſe of your country, prepared for this? Are you prepared to lay your country proſtrate at the feet of France? Are you prepared to put your courts under the controul of her agents, violate your conſtitution at her orders, and tamely allow her miniſter under the pretence of watching over the execution of a treaty, and of inforcing the laws of neutrality, to over-rule the legiſlature, dictate to the Preſident, and aſſume the abſolute direction of your affairs? If you be thus prepared, which I will never believe till I ſee it, I freely, nay proudly, declare to you that I am not, and that my voice ſhall never ſanction this ſurrender of our rights and independence. Sooner would I ſee every ſhip ſunk, every town in aſhes, and devaſtation once more ſpread from one end of our coaſt to the other.

With the loſs of theſe things we might retain our ſoil, our hands, our courage, out independent ſpirit, and our conſtitution: and we ſhould be a nation ſtill. Induſtry would again give us ſhips and towns; again might commerce gladden our ports, and agriculture ſmile over our land; and our children poſſeſſing in peace and honour, the bleſſings which with ſo many ſacrifices, we had purchaſed, might proudly look on our graves, and ſay, Theſe were our fathers! But independence once loſt is moſt rarely regained: Such is the conditions of our nature, that a nation once fallen, once reduced under a foreign rule, moſt rarely riſes again; and where its fall proceeds, as in our caſe it muſt, not from its want of means, but from its want of courage to uſe them, from its puſillanimity, its intrinſic weakneſs of character, it is deſtined never more to ſhake off the yoke.

But it may be ſaid, is not this picture exaggerated? Can it be ſuppoſed that France, even ſhould we yield to her preſent demands, would attempt to puſh thus far her abuſe of our conceſſions?

Let us enquire of the Dutch, let us aſk the Belgians, they can give us ſome uſeful information; and from their example, we may learn that the oppreſſions of France always keep pace with the weakneſs, the credulity, and the ſubmiſſive ſpirit of thoſe with whom ſhe has to deal. Let us aſk the Swiſs; from them we may receive a leſſon equally important, that the only means of ſetting bounds to her unjuſt and haughty pretenſions, is a firm and manly oppoſition.

In the winter of 1794, the French armies having over-run Belgium, and being favoured by the intenſe cold, which covered the rivers with ice, marched into Holland. On the 20th of January, a few days after their arrival, the French commiſſioners with the army, publiſhed a proclamation, in which they told the Dutch, "In the midſt of war, we conſider you as our friends "and allies; it is under this name that we enter your "country, we ſeek not to terrify, but to inſpire you "with confidence. It is but a few years ſince a tyran-

" nic conqueror preſcribed you laws; we aboliſh them, " and reſtore you freedom."

" We come not to make you ſlaves, the French nation " ſhall preſerve to you your independence."

" Perſonal ſafety ſhall be ſecured, and property pro- " tected."

All this was very friendly, and the Dutch very good naturedly believed it, more eſpecially as the French generals, when they were approaching the country, had conſtantly repeated the ſame thing. They, however, ſoon found their miſtake.

Seven days after this firſt proclamation, the ſame commiſſioners, having now been admitted into all the towns with their troops, and obtained complete poſſeſſion of the country, publiſhed a ſecond, in which they " for- " mally invited" the Dutch government to furniſh the army, within one month, with the following ſupplies: viz. 200,000 quintals of wheat; 500,000 rations of hay; 200,000 rations of ſtraw; 500,000 buſhels of corn: 150,000 pair of ſhoes; 20,000 pair of boots; 20,000 coats and waiſtcoats; 40,000 pair of breeches; 150,000 pair of pantaloons; 200,000 ſhirts; 50,000 hats: beſides all this 12,000 oxen, to be delivered in two months. This requiſition they call " their *amicable* intentions," which they flatter themſelves the citizens and the government will ſhew equal zeal to ſecond, and in the execution whereof, they hope that " the ſlow forms of ordi- " adminiſtration and all doubts about the want of au- " thority, which might impede the operation, will be " carefully ſet aſide;" and they give the Dutch to underſtand, that in caſe the articles were not furniſhed, they ſhould be exacted by force.

It was now too late to heſitate; the French had croſſed the rivers, their army was in the country, and the Dutch had opened their gates to theſe " reſtorers " of their liberty; they were therefore obliged inſtantly to comply, and on the ſame day, they addreſſed a proclamation to the people, informing them of the demand, and directing them to furniſh their re-

ſpective proportions. In this proclamation they remind the people of the "abſolute neceſſity of furniſhing the ſupplies, without the ſmalleſt delay, and "of the diſtreſs to which they muſt expoſe themſelves, "if they manifeſt the leaſt unwillingneſs, or even procraſtination."

This, however, was only the commencement; they ſubſiſted their armies in Holland during the winter, took every thing they wanted, and paid in depreciated aſſignats at par; and, finally, they forced the Dutch to form an offenſive and defenſive alliance with them againſt England for ever. The treaty was ſigned on the fifteenth of May, 1795. It obliges the Dutch to cede to France, "as indemnities," two of their moſt important frontier towns, with the adjoining territories, and one of their provinces; to admit French garriſons, in caſe of war, in that quarter, into three others of their ſtrongeſt frontier towns, to admit a French garriſon both in peace and war, into one of their principal ſea-ports; to give France the free navigation of one of their principal rivers; to employ half their forces in carrying on the preſent campaign, under the command of French generals; and, finally, to pay France, as a further indemnification for the expences of the war, one hundred millions of livres, equal to twenty-five millions of dollars, in caſh or bills of exchange on foreign countries.

In addition to this, it has lately appeared, from the ſtatements made to the Dutch government by a committee of finance, that for fourteen months then laſt paſt, the Dutch had paid two millions of dollars per month, amounting in the whole to twenty-eight millions, for the ſupport of the French armies. To theſe two ſums add the value of the firſt contribution which was exacted in kind, and they amount, at the leaſt, to fifty-five millions of dollars, two-thirds of the whole expences of our revolution. Of this enormous ſum have the Dutch been plundered by France, under the name of amity and alliance, in leſs than two years; and in addition to the immenſe amount of aſſignats they have

been forced to receive, to the ſurrender of a whole province, of their five ſtrongeſt frontier towns, and of a principal ſea-port, and to the employment of one half of their troops in the ſervice of France.

In return for all this, the French have driven away the Stadtholder, and changed the government. They have not ſuffered the Dutch, however, to adopt one to their own mind. A convention was called for that purpoſe, a great majority of which was in favour of a federal republic. The minority having oppoſed this plan in vain, ſent two of their members to Paris to obtain the interference of the French government. The French government did interfere, and the majority was forced to yield. The plan of government, which this great majority had favoured, was now rejected, and a different form, more ſuitable to the views of France, was impoſed on the nation.*

The Dutch have alſo obtained, in addition to all theſe proofs of amity, an offenſive and defenſive war with France againſt England, in which they have already loſt all their rich poſſeſſions in the Eaſt Indies, the Cape of Good Hope, a great part of their fleet, and the remains of their trade.

The *eaſy conditions* granted to the Dutch were complained of in the French convention; and it was alledged, that the commiſſioners had not drawn from Holland all the advantages which the republic had a right to expect. The commiſſioners juſtified themſelves, by alledging that it would have been *impolitic* to demand harder conditions *at firſt*, becauſe, in that caſe, the Dutch might have been driven to *reſiſtance*.†

Thus we ſee openly avowed and approved, the ſyſ-

* The names of the deputies who went to France are Van Vicreede and Hooffe. They afterwards publiſhed a letter, in which they avow the affair, and boaſt of it. See the Gazette of the United States, April 25, 1797.

† See the report made to the national convention by Carnot, February 18, 1795, in which this whole affair is ſtated, and the means of reſiſtance that Holland might have uſed, had ſhe been aſſailed under any other appearances than thoſe of "fraternity," are ably pointed out.

tem of coaxing a nation into their power, under the pretence of rendering it ſervices, and then plundering and oppreſſing it without bounds of remorſe, under pretence of receiving a reward for thoſe ſervices: and this by a government which has talked to us of our *perfidious neutrality!*

Without entering into ſo minute a detail reſpecting Belgium, it will be ſufficient to ſtate, that the French entered this unfortunate country under repeated and ſolemn promiſes of protection and freedom. No ſooner had they obtained poſſeſſion by the ſucceſs of their arms and the favour of the inhabitants, who were fooliſh enough to confide in their promiſes, than they put every article of property which could be of uſe to their armies into requiſition, and compelled the people to receive payment in depreciated aſſignats at par. They next levied immenſe pecuniary contributions on all the towns; they ordered meaſures to be taken for compelling the people to exchange their money for aſſignats at par.* They placed the country under the government of military commiſſioners. Finding that a majority of the conventions, which they had aſſembled under the pretence of making the people free, were adverſe to their views, they diſſolved theſe conventions by force, though freely choſen by the people, and this for the expreſs purpoſe, to uſe the words of one of their commiſſioners† in the account of his proceedings, "of raiſing up the *minority*, and deſtroying or coun-" terbalancing the power of an *anti patriotic ma-*" *jority.*"

Having thus afforded "liberty and protection" to the Belgians, having thus "broken their chains, and "releaſed them from the yoke of their ancient tyrants," they proceeded to ſeize and confiſcate, for their own uſe, the whole property of the clergy in Belgium, to the amount of more than two hundred and fifty millions of dollars.

* See the decree of December 15, 1792, and the inſtructions to the commiſſioners, dated January 8, 1793.

† Publicola Chauſaid.

The military government and contributions levied at the point of the bayonet ſtill go on in this *liberated* country, for the gazettes have lately informed us of parties of horſe being ſent to ſeize the proviſions of ſuch farmers as neglected to bring them in at the orders of the commiſſioners.

It may alſo be uſeful to conſider the example of Italy, to the people of which, the French, when they invaded it, alſo promiſed liberty: they even carried on for ſome time the farce of a convention, at which General Buonaparte ſent one of his officers, with a detachment of troops, to preſide. Having, by theſe means, enticed theſe ſimple people to aſſiſt them againſt their own government, they have lately, in their treaty with the Pope, ſtipulated, that theſe provinces, which belonged to him, ſhall not be made free, but *be ceded to France*. In the mean time they plundered the churches and the cities, ſtript the country (to which they had promiſed freedom) of its wealth by enormous contributions, and compelled the militia to join their armies. Beſides the territory which they compelled the Pope to relinquiſh, they exacted from him upwards of ſix millions of dollars, and many of his moſt valuable effects, and forced him to receive a French garriſon into one of his ſea-port towns.

Thus it is that France deals with countries which ſhe can entice or compel into her graſp. Let us ſee how ſhe acts towards ſuch as are willing and able to reſiſt.

The Swiſs being neighbours to France, and having reſolved, according to their uſual policy, to remain neuter in the preſent war, ſhe early began, as ſhe has done in our caſe, to claim the right of directing their affairs, under the pretence of enforcing the obſervance of *treaties*, and of the laws of *neutrality*. The Swiſs, as we have done, for a long time, bore with her through a love of peace; but ſtill, though in the mildeſt terms, repelled her pretenſions. Emboldened by this moderation on their part, and by ſeeming compliances into which they had been led by their anxiety to avoid a

quarrel, ſhe increaſed in her demands, and at length formally required them to drive from their territory the numerous French emigrants who had taken refuge there, and were peaceably reſiding under the protection of their laws. The aſylum granted by them to theſe unfortunate exiles, deprived of their all, and hunted by the implacable vengeance of France from country to country, was declared by her to be "a breach of neu-" trality." The Swiſs reſolved not to yield this eſſential point of their ſovereignty, but unwilling to refuſe directly, for ſome time evaded the matter; France perſiſted, called their evaſions, "outrageous and ridiculous " delay;" aſked them how they "dared to hold a con-" duct ſo reprehenſible," and demanded, *without delay*, "a frank and amicable" explanation, which might diſpel her doubts, and reſtore "their ſtate to her ſentiments of good will."*

The Swiſs made a firm reply, marked, however, with great moderation, and ſhewing a wiſh ſtill to evade the queſtion, rather than give a direct and pointed refuſal.

But this did not ſatisfy France: ſhe returned to the charge. Her miniſter tells the Swiſs, "I conceive it " my duty, agreeable to my INSTRUCTIONS, to requeſt " formally from you, that you will baniſh from your " territory all deſcriptions of thoſe ſtrangers ſo dange-" rous to the tranquillity of France and of Switzerland, " as well thoſe whom a *falſe pity* has hitherto tolerated, " as thoſe who may hereafter take refuge there. They " cannot any longer prolong their ſtay there, without " injuring that confidence which ought to ſubſiſt be-" tween two nations, one of which cannot grant an " aſylum to (the enemies of) the other, without eſſen-" tially affecting the duties of neutrality. The direc-" tory *demands and expects* from your friendſhip, that " liſtening only to your true and ſolid intereſts, " you will drive from among you the emigrants and

* See the letter of Barthelemi, the French miniſter, to the Canton of Baſil, May 9, 1796.

" French prieſts.—Your wiſdom will appreciate the *ex-*
" *treme and preſſing* importance of this requeſt."*

The Swiſs, however, were reſolved to judge themſelves of what " their true and ſolid intereſts" required; and finding that moderation only invited new inſults, and that there was nothing left for them but to ſubmit, or firmly and plainly aſſert their rights, they replied that they themſelves were the judges of the intereſts of their country; that they were deſirous of avoiding offence to France, and had given none; that thoſe emigrants and prieſts were peaceable exiles, whoſe misfortunes, as well as their virtues and good conduct, gave them a claim to the aſylum, which they had received in the Swiſs territory: That far from plotting againſt the intereſts of France, as ſhe had alledged, theſe exiles were honeſtly and peaceably labouring for their bread: That they had received in Switzerland the rights of hoſpitality, which no duty of a neutral nation forbid it to grant, and that in theſe rights the Swiſs were reſolved, at all hazards, to protect them.†

This reply put an end to the diſpute; France perceiving that the Swiſs were reſolved not to yield, and that, conſidering their warlike character and the ſituation of their country, an attempt to force them would be attended with hazard and difficulty, ſhe wiſely determined to give up the point. The emigrants remained; and after all this bluſtering ſhe left the Swiſs quietly to manage their own affairs.

From theſe various examples, my fellow-citizens, we may learn the conſequences to be expected from ſubmiſſion, and from reſiſtance; we may learn that to make the conceſſions now demanded, would only embolden her in new requiſitions, to be conſtantly extended in proportion as we ſhould betray a diſpoſition to yield; whereas the true and only method of repelling or preventing aggreſſion, is to ſhew by our conduct

* See Barthelemi's Letter of June 25, 1796.

† See their reply in the Gazette of the United States of September 21, 1796.

that we are reſolved, at all hazards, to maintain the excluſive and uncontrouled direction of our own affairs. Before ſhe will deſiſt from her attempts, we muſt convince her that in this reſolution we are firm and united. Till then, ſhe will continue to require from us, as ſhe now does, the ſacrifice of our intereſts and ſelf-government at the ſhrine of her own ambition.

And what are the titles whereby ſhe claims this ſacrifice? She claims it from our juſtice, and our gratitude.

Her claims on our juſtice reſt upon the ſtipulations of treaties, and the duties of neutrality. Theſe have already been examined, and it has appeared how far they are from ſupporting her pretenſions.

But our gratitude, we are told, forms a ſtronger tie, and reſts on foundations ſtill more ſacred. She proudly holds up to our view her aſſiſtance in our ſtruggle for independence; her commercial benefits, conferred in the preſent war; and the religious punctuality wherewith, as ſhe aſſerts, her ſtipulations in the treaty with us have been fulfilled. On theſe is founded, according to her, a debt of gratitude, which nothing leſs than our independence can pay.

Again and again has ſhe reminded us that to her we are indebted for the poſſeſſion of our freedom: Again and again has ſhe recalled her ſervices te our recollection, and upbraided us with our ingratitude: Again and again has ſhe repeated her claim to unbounded compliance with her wiſhes, as the return for her aſſiſtance. Theſe pretenſions at firſt were urged with ſome decree of modeſty. The inſtructions to Mr. Genet go no further than to alledge, "that the French "nation contributed to acquire our independence, as "the juſt price whereof we ought to ſubmit to en-"gagements which might appear burthenſome." But Mr. Genet ſoon afterwards told us, "that France had "eſtabliſhed our freedom, and that gratitude required "us to yield to his demands." Mr. Adet declares that France "wrought and guaranteed our independence, "at a time when, as the price of it, ſhe might have "granted us conditions leſs liberal." And at the

concluſion of that long liſt of complaints, which are founded on pretenſions ſo inadmiſſible and extravagant, he declares that our Government, in refuſing to yield to them " has ſet aſide the duties of gratitude, as if in- " gratitude was a duty of Governments."

To crown the whole, the directory, in a public ſpeech to our late miniſter at Paris, expreſſed their hope, " that " the Americans, proud of their liberty, would never " forget that they *owe it to France*."

In the affairs of private life it is a rule that, to be upbraided with benefits received very much impairs the obligation they create; and, that to demand a reward for what was conferred as a favor, changes the obligations of gratitude into a debt by contract. The debt in this caſe muſt be weighed in the ſcale of ſtrict juſtice, or meaſured by the extent of preciſe ſtipulations.

As to ſtipulations, there are none which can warrant the demands of France; for in that very treaty whereby the aſſiſtance ſo boaſted of was furniſhed, it is expreſsly declared, " that each party being reſolved to ful- " fil on its own part, the clauſes and conditions of the " preſent treaty of alliance, according to its own power " and circumſtances, there ſhall be no after claim of " compenſation on the one ſide or the other." The only benefit ſtipulated for France, was our guarantee of her iſlands; but this ſtipulation, which was to take effect only when France ſhould be engaged in a *defenſive* war, does not operate in this caſe; becauſe in the preſent war ſhe is clearly the aggreſſor: And of this ſhe is ſo ſenſible, that amidſt all her extravagant demands, ſhe has never called on us for the fulfilment of the guarantee.

A reward claimed for ſervices on the principles of juſtice, muſt be regulated by two conſiderations; what the ſervices were fairly worth, and what the parties at the time may be ſuppoſed to have tacitly contemplated as the price. But can any poſſible ſervice be worth our independence; nothing leſs than which France demands? Ought we in juſtice to make her this return,

even if, as ſhe pretends, ſhe had beſtowed this independence? Can it be ſuppoſed, that when the ſervices were rendered, ſhe ever expected, or we would ever have conſented, that this ſhould be conſidered as their price? What in that caſe ſhould we have gained by our ſeven years ſtruggle, by the deſtruction of our property, by the devaſtation of our country, by the long toils and the blood of our citizens, and by our debt of ſeventy millions of dollars? We ſhould have gained not freedom, but a change of maſters; and whether a change for the better, let Holland, Belgium, and Italy bear witneſs.

But is it true that France gave us independence? Let us appeal to dates and to her own aſſertions for an anſwer to the queſtion.

Let us aſk at what time ſhe concluded this alliance, to which ſhe ſays we are indebted for our ſucceſs? At what time ſhe rendered this aſſiſtance, by which ſhe ſo confidently affirms, that our independence was maintained? It was in the year 1778, after we had ſupported the war three years by our own forces; after we had captured Burgoyne's army; after the Engliſh, convinced of their inability to ſubdue us, had offered us every thing we aſked, except independence: It was after we having declared our independence, and fully aſſured of being able to ſupport it, had unanimouſly refuſed to liſten to their offers.

Before theſe events, and while the conteſt was yet doubtful, ſhe had conſtantly refuſed to form an alliance, or to grant us aſſiſtance. She allowed us indeed to purchaſe arms and ammunition from her merchants, but for theſe we paid, and with theſe we were furniſhed by the merchants of other nations alſo.

This is the teſtimony of dates and facts; teſtimony written on the plains of Saratoga, aud behind the breaſt works of Bunker's Hill.

But what is the teſtimony of her own declarations?

After the treaties of alliance and commerce became known to England, ſhe publiſhed a manifeſto in juſtification of the war, which, on account of thoſe treaties

ſhe had reſolved to wage againſt France. The French court gave a public anſwer to this manifeſto, in which it vindicated its own conduct, and juſtified the treaties, on the expreſs ground, that the United States had already not only declared, but *eſtabliſhed* their independence, when the treaties were concluded. The anſwer aſſerts, "that the capture of Burgoyne overthrew the "plan which England had laid for the reduction of "her colonies;" that "England had become *unable* to "ſubdue her colonies;" that "on the 6th of February, "1778, the date of the treaties, the Americans were "in the *full and public* poſſeſſion of their independence: "That the colonies had eſtabliſhed their independence, "not only by a ſolemn declaration, *but alſo in fact*, "and had ſupported it againſt *all the efforts* of the mo-"ther country;" that "England had diſplayed her "power to chaſtiſe the Americans, and reduce them "by conqueſt, but that the reſult of all her efforts had "been to *demonſtrate* to America, to Europe, and to "England herſelf, her impotency, and the *impoſſibility* "of her *ever* bringing the Americans again under the "yoke."

And yet we are now told by France, that ſhe gave us our independence!

Aſſiſtance indeed ſhe did give us, though not our independence; and all the world knows how fondly, how proudly, we have always acknowledged the obligation. All the world knows with what religious reverence, with what heartfelt gratitude, we have ſhut our eyes to the motive, while we looked only at the act. All the world knows how much delighted we have been to forget that France was an intereſted aſſociate, and to regard her only as a generous, a magnanimous benefactor. With what pain it is that we find ourſelves obliged, by her reiterated reproaches, to abandon this voluntary, this pleaſing deluſion? With what pain do we ſee ourſelves compelled, by her taunting recalls to our recollection of ſervices which ſhe ſays we have forgotten, to draw aſide the veil, and expoſe

to the world and to ourſelves, the objects for which we always knew that thoſe ſervices were rendered!

Her objects were to exhauſt and divide the Britiſh empire, by fomenting and ſupporting the quarrel between the colonies and the mother country; and then to gratify her reſentment and exalt her own power, by ſeizing the moment of weakneſs, to humble and reduce her moſt formidable and her moſt dreaded rival. To effect this object, ſhe did not wiſh the colonies to become independent, but to be reduced, after a long ſtruggle: Becauſe, in that caſe, both their reſources and thoſe of England would be the moſt completely exhauſted. For the proof of this poſition, we appeal once more to her own teſtimony.

Nothing is better known than that the pride of France never received ſo deep a wound as at the peace of 1763. It was by that peace, that after a war, in which her power in the four quarters of the globe had ſunk under the arms of Britain, guided at that time by the genius of the elder Pitt, ſhe found herſelf obliged to ſubſcribe to terms which her ſtateſmen, her warriors, and her writers, have never ceaſed to reprobate and lament. She tried every means to recruit her ſtrength; ſought to fortify herſelf every where by new alliances; and waited, with impatience, for the moment when circumſtances might enable her to renew the combat, with better omens of ſucceſs. This moment ſhe ſaw approach in the quarrel which broke out in 1775, between Great Britain and her colonies: And ſhe immediately took into conſideration how the opportunity might beſt be improved. This was the ſubject of her moſt anxious care, of the moſt profound deliberations of her wiſeſt ſtateſmen.

The reſult of theſe deliberations may be ſeen in a piece drawn up in April 1776, by Mr. Turgot, at that time one of the miniſters of Lewis the Sixteenth, and intitled, "Reflections upon the manner in which "France and Spain ought to regard the conſequences "of the quarrel between Great Britain and her colo-"nies." In this piece, which Mr. Turgot declares to

be entirely conformable to the opinions of Mr. de Vergennes, it is declared, that the event the "moſt "deſirable for the intereſts of the two crowns (France "and Spain) would be the reduction of the colonies "again under the yoke of England." The reaſon aſſigned for this opinion is extremely ſtriking, and unveils moſt completely the ſyſtem of the French policy. "If the colonies ſhould not be reduced till after the "ruin of all their reſources, England would loſe the "advantages which ſhe has hitherto drawn from them, "not only for the augmentation of her commerce in "time of peace, but in the uſe of their forces in time "of war. If, on the contrary, the colonies ſhould be "ſubdued without the deſtruction of their wealth and "their population, they would preſerve alſo their cou-"rage and their deſire of independence, and England "would be compelled to employ part of her forces in "preventing a new revolt."

Thus we ſee that theſe generous benefactors deſired nothing ſo much as the deſtruction of all our reſources, and even of our population, by a tedious and bloody conteſt; and then our final reduction under the yoke of our former maſters.

To effect this plan, to enable us to make this long reſiſtance, by which our wealth and population were to be deſtroyed, Mr. Turgot adviſes, "that France ſhould "furniſh us, by means of the merchants, with the war-"like ſtores, and even with the money, which we "might be in need of; but without abandoning her "own neutrality, or affording any direct aſſiſtance." This he ſaid was by all means to be avoided; becauſe it would involve France in the war; who, without remaining in peace herſelf, could not reap all the expected advantages from the weak and ruined ſtate whereto England and the colonies would be reduced by the ſtruggle.

Another reaſon, and in his opinion a deciſive one, for avoiding war, or even the appearance of it, he declares to be "the tendency which the one or the other "would have to bring about a reconciliation between

" the colonies and the mother country, and thus ex-
" poſe France to the danger which ſhe moſt dreaded ;"
that is, the danger of their ſpeedy re-union, with undi-
miniſhed forces.

And finally, the better to accompliſh this plan, he recommends the adoption of meaſures " for obtaining
" exact information of all that paſſed in the colonies ;
" without, however, giving room to ſuſpect that France
" had there any direct or authoriſed agent."*

The tendency of this plan to weaken and reduce the power of England is eaſily ſeen ; but I cannot find in it the leaſt trace of good faith, or good will, towards the colonies ; much leſs of a wiſh to promote their proſperity, or eſtabliſh their independence. The very contrary, indeed, is expreſsly declared.

That this plan, contrived by Turgot and Vergennes, was afterwards adopted by the French government, is perfectly well known ; not only from the power which thoſe two miniſters then, and for a long time after enjoyed in France, but from the conduct of the government and its expreſs declarations. In March, 1784, we find M. de Vergennes, in a memoir addreſſed to Louis the ſixteenth, on the conduct obſerved by the French government towards other powers, reminding him, " that his Majeſty, provoked by the violence
" and injuſtice of England, had employed himſelf
" ſeriouſly about the means," of doing what ? Of eſtabliſhing the independence of the colonies ? No : But† " of repreſſing the pride and ambition of that
" enterpriſing nation, and of preventing the revolution
" which had broken out in North America, from
" turning to the prejudice of France ; for *which view*
" a negociation had already been commenced with the
" United States, when the unexpected death of the

* This piece of Mr. Turgot was found, with many other ſecret ſtate-papers, in the cabinet of Louis ſixteenth, and after his death was publiſhed by the Convention.

† This memoir of M. de Vergennes was another of the pieces found among the private papers of Louis ſixteenth.

" Elector of Bavaria, called his attention to the affairs " of Germany."

Thus when the king and his miniſter came to talk over the matter in private, where men tell the truth without diſguiſe, they explain the true motives of their conduct. We find that they were actuated not by good will to the Americans, but reſentment againſt England; not by a wiſh to promote the advantage of America, but to repreſs the pride and ambition of England; and that it was for this view, and not to ſecure our independence, that the negociation was commenced.

It is indeed perfectly well known that until they heard of the capture of Burgoyne, and the conciliatory offers of England, the French government treated all our advances with the greateſt indifference; and, to uſe their own words in their anſwer to the Engliſh manifeſto, " had at all times manifeſted a diſlike to any engagement " with the colonies;" this was entirely conformable to her policy of avoiding the war, while Britain and the colonies ſhould go on to exhauſt each other by a long ſtruggle, and afford her an opportunity of attacking both afterwards with entire forces. But when Burgoyne was taken, and the Engliſh offered us all we aſked, except independence, then France, for fear we ſhould accede, and leſt that reunion, which ſhe ſo much dreaded, ſhould take place, immediately departed from her former policy, and concluded a treaty with us, on terms far more favourable than thoſe which we had before ſolicited in vain.

Her reaſons for ſo doing are very fully and ſtrongly expreſſed in the following extract from her anſwer to the Britiſh manifeſto.

" It is ſufficient for the juſtification of his majeſty, " that the colonies, which form a nation conſiderable " for the number of their inhabitants as well as for the " extent of their dominions, have *eſtabliſhed their in-* " *dependence*, not only by a ſolemn declaration, *but* " *alſo in fact*, and have ſupported it againſt the efforts " of their mother country; ſuch was in effect the ſitu- " ation of the United States, *when his majeſty began to*

" *negociate with them.* His majeſty had full liberty of " conſidering them as independent, or as ſubjects of " Great Britain; and as he choſe the firſt part, becauſe " *his ſafety*, the *intereſt* of his people, *invariable policy*, " and, above all, the ſecret projects of the court of " London, imperiouſly laid him under the neceſſity."

The anſwer then aſſerts, that the alliance formed under the preſſure of this *imperious neceſſity*, was, " even- " tual, and purely defenſive; not to take effect unleſs " France ſhould be attacked by the court of London " before the ceſſation of hoſtilities with the colonies."

Thus we find that this boaſted alliance, to which we have been ſo often and ſo inſultingly told that we owe our independence, was not reſolved on by France till after ſhe knew that our independence was *in fact* eſtabliſhed; was dictated by imperious neceſſity, and a regard to the *ſafety* and *intereſts* of France; and was not to take effect unleſs ſhe ſhould be attacked by our enemies!

And leſt the evidence of circumſtances and the pointed declarations of the former government of France on this ſubject ſhould be doubted, the republic has alſo added its teſtimony. The executive council, in its inſtructions to Mr. Genet, declares, " that the miniſters " of Louis the ſixteenth thought it right for France to " hinder the United States from taking that political " ſtability of which they were capable; becauſe they " would ſoon acquire a ſtrength which it was probable " they would be eager to abuſe. The ſame Machi- " velian policy," continue the inſtructions, " influ- " enced the operations of the war for independence; " the ſame duplicity reigned over the negociations for " peace;" and in fact we know that the French government thwarted theſe negociations to the utmoſt of its power, and ſtrove to render the conditions of the peace, which it had in vain ſtriven to prevent, as diſadvantageous to us as poſſible, by depriving us of the fiſheries, the weſtern country, and the navigation of the Miſſiſſippi. This was conformable to their ſyſtem of keeping us at war as long as poſſible, and leaving us at the end of it, as weak as poſſible.

Surely, therefore, it may be expected that we ſhall at length ceaſe to be told of the diſintereſted generoſity of France in eſtabliſhing our independence, and of our ingratitude to her on that account!

Does her claim to our gratitude for commercial favours during the preſent war reſt on a foundation? She has, indeed, opened her Weſt India ports to us; and of this we have been again and again reminded. But at what time was it done? At the time when ſhe had reſolved to give up her commerce, and convert all her ſhips into privateers for the purpoſe of deſtroying that of England.

As the productions of her colonies were of indiſpenſible uſe to her, it was infinitely her intereſt that we ſhould become the carriers of them; more eſpecially, as we were the only neutral power whoſe local ſituation and number of ſhips could enable it to effect the object.

She hoped alſo to obtain another very deſirable object. It was well known to her that England claimed a right to take the goods of her enemies on board of neutral veſſels. When we ſhould engage in this carrying trade between France and her colonies, we ſhould of courſe become expoſed to infinite vexations from the exerciſe of this right. The profits of the trade would tempt us on one hand, while the vexations would provoke us on the other; and by this double operation the great object of bringing us into the war would be very much promoted. France alſo would be furniſhed with that pretext which we find her now uſing, for inſiſting on us to employ what ſhe calls *efficacious means* in cauſing her property on board of our ſhips to be reſpected by England. If we ſhould ſucceed, the property would go free, and that would be a great benefit; if we ſhould fail, we ſhould nevertheleſs be involved in the war, and that would be a greater ſtill.

The ſweets of this commerce, too, it was hoped, would entice us into an alliance offenſive and defenſive, for the purpoſe of ſecuring it; and accordingly we find that when Mr. Genet was inſtructed to draw us into ſuch an alliance, this was the bait which he was ordered to employ.

Thus it is manifeſt, that what we are now upbraided with as a generous and uſeful indulgence, was in fact a moſt dangerous ſnare, from which great good fortune and the prudence of our government, joined to its unſhaken firmneſs, could alone have enabled us to eſcape.

She reſts her claim to our gratitude in the laſt place, on the reſpect which ſhe has paid to our intereſts and our wiſhes, and the punctuality wherewith ſhe has fulfilled her duties towards us.

One inſtance of her attention to our wiſhes is, the recall of Mr. Genet, in which ſhe now aſſerts, that, "liſtening only to the complaints of the American "government, ſhe immediately gave the moſt ample "ſatisfaction."*

We however perfectly well know, that this recall proceeded not from complaiſance to us, but from the fall of the Briſſotine party, to which Mr. Genet belonged, and by which he was ſent here. Robeſpierre, who then came in power, not only drove all the men of that party from their employments, but deſtroyed as many of them as he could catch. But that France never abandoned the ſyſtem which Genet had purſued, is moſt evident from the preſent meaſures, in which we ſee that ſyſtem avowed and enforced. It is alſo evident from the whole correſpondence of his two ſucceſſors, which, though not always quite as offenſive in expreſſion as that of Genet, was no leſs exceptionable in principle and ſubſtance. Indeed, that appeal to the people, the mere threat of which was conſidered as the moſt offenſive and outrageous of all Genet's proceedings, has actually been made by one of his ſucceſſors, in the moſt formal manner and by expreſs orders of the French government.

Another inſtance is, that France, on the application of our miniſter, repealed, as far as reſpected us, one of her decrees which was injurious to the commerce of neutral ſtates. This repeal, it is true, did take place;

* See Mr. Adet's note.

but, unfortunately, the repealing law itſelf was repealed three days afterwards, through the influence of ſome French privateers, which had taken a very rich American ſhip; and the firſt decree was left for many months to operate in a manner the moſt injurious to our commerce.

This leads to the queſtion, How far France has entitled herſelf to particular favour from us by her punctual obſervance of treaties? For this alſo is one of the merits, whereof, in the midſt of her reproaches, ſhe has repeatedly reminded us. Her miniſters have repeatedly told us of "the religious punctuality with "which the French Republic keeps her engagements "with a nation to whom ſhe has not ceaſed to teſtify "her attachment."* Let us ſee how punctual this obſervance has been, and what are the proofs of this attachment.

On the 9th of May, 1793, before the Britiſh commenced their ſpoliations on our commerce, the national convention of France paſſed a decree, authoriſing her "ſhips of war and privateers to capture all neutral veſ-"ſels loaded, in whole or in part, with merchandiſes "belonging to enemies, or with proviſions belonging "to neutrals, but bound to enemies' ports."

This was prior by one month to the firſt orders of the Britiſh government, under which our proviſions, deſtined for French ports, were made prize. Thus did France ſet the example of thoſe very meaſures, againſt which, even while ſhe continued to purſue them herſelf, ſhe ſo violently exclaimed as ſoon as they were imitated by the Britiſh, and to compel the recall whereof ſhe has ſo often told us that our honour and our good faith to her required us to make war againſt England!

This decree of May 9, 1793, being a plain and direct violation of our treaty with France,† our mini-

* See Mr. Fauchet's letter of May 23, 1795, and Mr. Genet's correſpondence throughout.

† Which declares, that free ſhips between us and her ſhall make free goods.

ſter at Paris complained; and, on the 23d of the ſame month, a new decree was paſſed, declaring that the former ſhould not extend to American veſſels; and thus plainly confeſſing its injuſtice. The ſecond decree, however, was repealed only two days after it paſſed, and the firſt remained in force againſt our commerce. Our miniſter again complained; and on the firſt of July the convention again decreed, that the decree of May the ninth ſhould not extend to American veſſels. This was a ſecond acknowledgment of its injuſtice; and yet, twenty-ſeven days afterwards, it was again enforced againſt our commerce by the repeal of the laſt decree for reſtricting it; and then it remained in force until January the fourth, 1795.

During this period a very conſiderable number of our veſſels were carried into French ports by her privateers and ſhips of war. It alſo became a practice to ſeize cargoes ſent into her ports by our merchants, and employ them for public uſe, without paying for them. Her agents alſo purchaſed conſiderable quantities of proviſions from our citizens, and drew bills for payment on the government of France, or on her miniſter in this country, which in many inſtances were not paid. Thoſe agents frequently made contracts alſo with our citizens for ſupplies of proviſions, which, when the proviſions arrived, they refuſed to fulfil. The privateers and ſhips of war of France frequently committed ſpoliations at ſea on ſuch of our veſſels as did not come within the decree of May 9, 1793; and, finally, an embargo was laid on our veſſels in Bourdeaux, and continued during the greater part of the years 1793 and 1794, whereby one hundred and three of our veſſels were detained, and our merchants ſuſtained very great injury.

There were many caſes of all theſe deſcriptions, and each of them was a plain infraction of the treaty, the law of nations, or the rights of neutrality. Many of them included a breach of all three; and the whole number amounted to one hundred and ſeventy, ex-

cluſive of thoſe for detention by the embargo at Bourdeaux.

Our government, however, did not imitate that of France, by directing our miniſter to importune and inſult it, to raiſe an outcry in the country, or threaten the government with an appeal to the people. It ſent an agent to Paris with inſtructions to attend to thoſe claims, and endeavour to obtain indemnification.

Let us hear this agent's account of the manner in which the French government reſpected the rights of its allies, and fulfilled the ſtipulations of treaties.

The agent, Mr. Skipwirth, in a letter addreſſed to the American miniſter at Paris, and dated October, 1794, writes thus:

" At your requeſt I now lay before you a ſtatement " of the innumerable embarraſſments which our com- " merce has for a long time, and continues ſtill to la- " bour under in the different ports of the French Re- " public. It is evident, if their government does not " ſoon remedy the inceſſant abuſes and vexations daily " practiſed upon our merchants, veſſels, captains, and " crews, the trade of the United States with France " muſt ceaſe. I cannot give you an ample detail of " all the inconveniences and oppreſſions which have " been thrown upon our commerce; many of the con- " ſuls and their agents to whom you have written to " forward ſuch documents to my office, not having yet " done it; beſides, it would take volumes to expoſe " them at full length.

" From the communications, however, already re- " ceived from the different ports, and from the infor- " mation I have collected from the captains preſent, I " can aſſure you that there are near *three hundred ſail* " of American veſſels now in the ports of France, all of " which have ſuffered, or are ſuffering, more or leſs " difficulty and delay. The hardſhips of which I have " chiefly to complain, and out of which there grows " incalculable evils, may be developed under four ge- " neral heads.

" 1ſt. The capture, *indiſcriminately*, of our veſſels at " ſea, by the veſſels of war of the republic.

" 2d. The impoſſibility of Americans ſelling their " cargoes, and receiving payment in the ports to " which they are conducted, or of their own accord " arrive.

" 3d. The difficulties and procraſtination which " they find in their tranſactions with the boards of ma- " rine and commerce.

" 4th. The non-compliance, or heretofore delay, in " fulfilling the contracts made by the agents of the " French Republic in America for proviſions.

" The ſeizure of our veſſels at ſea, often gives riſe to " the moſt ſerious and well-founded complaints.—The " ſtripping them of their officers and crews, who are " generally replaced by boys and inexperienced hands, " in order to be conducted to ports, expoſes them to " much injury, and ſometimes to total loſs; the con- " finement of our ſailors taken out of thoſe veſſels; the " ſeals upon their cargoes; and, above all, the ſending " the papers to the commiſſioners of marine at Paris, " involves the moſt unwarrantable hardſhips and de- " lays; and, indeed, I am ſorry to add, that *all* our " veſſels experience ſome of thoſe difficulties; and, in- " deed, ſuch as arrive with cargoes on account of the " Republic, months clapſing before the captains can get " their clearances and papers; many of which are often " loſt or miſlaid.

" As to the ſecond head, the agents of the commiſ- " ſion of commerce at the different ports having no " power to treat directly for cargoes, it follows that they " muſt write to the commiſſion at Paris for orders; " and after one or two months fruitleſs correſpon- " dence, it often happens that the captains are obliged " to come up to Paris, where, being ignorant of forms " and language, they have to encounter a thouſand " difficulties.

" It would be too tedious to mention all the in- " conveniences reſulting from the third general com-

" plaint. In the first place, The delays at the commis-
" sion of marine are incredible. The captains, whose
" vessels are brought into ports by the armed vessels of
" the Republic, cannot withdraw their papers from the
" hands of the marine agents, but are forced to Paris
" to solicit, time after time, of the marine, a report upon
" them to the Committee of Public Safety. The cruel
" delays attending this will be illustrated in the ex-
" amples annext. The report being made before it
" can reach the latter body, it must have the signature
" of the commissaries, and go through other formali-
" ties; and, when it receives the sanction of the Com-
" mittee of Safety, it has to travel nearly the same road
" back. Judge, Sir, of the tedious delay attending this;
" indeed you will see cases where the poor captains have
" been many months in arriving at the above point;
" and I myself, after having pressed several reclamations
" for weeks past, have not been able yet to bring one to
" that issue.

" To sell to the commission of commerce is still
" more difficult. When a bargain is concluded with
" them, an order is issued to the keepers of the public
" magazines, to receive the cargo sold; who often pre-
" tend that there is no room to receive it; and fre-
" quently they keep the captains waiting weeks before
" their convenience or whim will induce them to re-
" ceive it. This point gained, application must then be
" made at Paris to the commission of commerce for pay-
" ment; who refer the captain to their board of agency.
" They make a report to the comptability (the account-
" tant's department) of the same commission, from
" whence it must go to the committee of finance, then
" to the committee of public safety, from whence it re-
" turns to the comptability. This labyrinth of per-
" plexity of course throws the captain into the hands of
" an agent, who preys upon his distress; and when all
" these forms are fulfilled, it is not always that he can
" touch his money.

" If, in the first instance, the commission will not
" purchase his cargo on the terms he asks, they tell

„ him he may depart; but on returning to his veſſel,
" he is moſt commonly prevented from ſailing by the
" agents at the ports. If it is mutually agreed that
" merchandize ſhall be taken in exchange, the difficul-
" ties become greater. If aſſignats, with permiſſion to
" export wines and brandy, the captain finds himſelf
" taken in; for the agents will put thoſe very articles in
" requiſition. If the commiſſion tells the captain that
" they do not want his cargo, and that he may ſell to
" individuals, he finds that he cannot export the pro-
" ceeds without giving ſecurity to import afterwards to
" the ſame amount in articles of the firſt neceſſity, ſuch
" as proviſions, &c. If the captain is ſo unfortunate as
" to have to treat with the agents of the commiſſion, he
" is ſure to feel their impoſition. They frequently
" refuſe to confirm their own agreements. In ſhort,
" after every ſort of delay and vexation, ſhould the cap-
" tain claim an indemnity, he has to wade thro' double
" the difficulties heretofore ſtated, and perhaps after
" all to leave his buſineſs incomplete in the hands of
" an agent.

" The 4th and laſt general complaint is of a delicate
" and important import. M. Fauchet, the French
" miniſter, has made conſiderable purchaſes of provi-
" ſions in America in the name and for the account of
" the French republic. One houſe has engaged to
" furniſh 20,000 barrels of flour. Thirteen veſſels
" loaded with theſe proviſions have already arrived,
" and in vain have I demanded of the commiſſion of
" commerce their anſwer reſpecting the payment of
" theſe contracts; except that, in the commencement,
" they aſſured me the committee of Finance had or-
" dered the payment of three cargoes at Bourdeaux;
" but, to my ſurprize, I found two days after, that
" no report had been made to the commiſſion of that
" committee."

Thus far the agent. He then proceeds to ſtate twenty-four particular inſtances of oppreſſion, by way of illuſtration, and gives a liſt of one hundred and ſeventy caſes which he had then brought forward. To this he

adds a list of one hundred and three vessels detained by the embargo at Bourdeaux.

Let it be remembered, that all this took place in the years 1793 and 1794, previous to the existence of the British treaty, which France has since made the pretext of her outrages, and at the very time when she was boasting to us of the "religious punctuality" with which she fulfilled the engagements of her treaty, and the duties of a neutral and allied power. While she was quarrelling with us for the detention of a few privateers and their prizes, whose whole number at the utmost did not exceed twenty, she had three hundred of our vessels in her ports, subject to "incessant vexa-"tions, abuses, and oppressions," and a great part of which had been carried in by her cruizers, contrary to the law of nations, and in express violation of our treaty. While her ministers were insulting our government, because it did not take what they chose to call *efficacious* measures to prevent the capture of our vessels at sea by the British, and the impress of our seamen, her ships of war were seizing our vessels at sea indiscriminately, stripping them of their officers and crews, confining our sailors, and leaving the ships to the care of boys and inexperienced hands. While she was complaining, in the bittereſt and most offensive terms, of delays in our courts, the citizens of the United States, even such as had gone to her ports under the faith of express contracts with her minister, were obliged, in the prosecution of their claims, "to encounter a thousand difficul-"ties" to submit to every arbitrary imposition, to suffer "every sort of delay and vexation," and, finally to give up the pursuit and leave their business in the hands of an agent.

And yet France upbraids us with her favors and our ingratitude! And yet she reproachingly boasts of "the "religious punctuality wherewith she fulfils her engage-"ments with a people, to whom she has never ceased to "testify her attachment!"

Such, my fellow-citizens, being the claims of France, and such the foundations on which they rest, such

being the inadmiſſible nature and alarming extent of her pretenſions, it remains for me to preſent you with a conciſe view of the meaſures whereby ſhe is now attempting to enforce them.

Theſe meaſures commenced with a formal ſtatement of her complaints preſented to our miniſter at Paris on the 9th of March, 1796. It was anſwered by the miniſter and tranſmitted to the government here immediately after. The complaints and the anſwers to them were the ſame in ſubſtance with thoſe already explained.

On the 3d of July, 1796, ſhe paſſed a decree, directing her privateers and ſhips of war to treat the veſſels of neutrals in the ſame manner in which thoſe neutrals ſhall ſuffer their veſſels to be treated by the Engliſh. This decree was notified to our government by the French miniſter at Philadelphia, on the 27th of October, 1796.

This decree goes expreſsly upon the principle, equally unjuſt and abſurd, that if neutral ſtates receive an injury from one party which they are unable to repel, the other requires a right to inflict it likewiſe. As it reſpects the United States it goes much further, and avows another principle no leſs repugnant to every idea of juſtice and good faith. Britain poſſeſſes, by the law of nations, a right to take the goods of her enemies found on board of our ſhips. This right France relinquiſhed expreſsly by the treaty with us; but, becauſe Britain continues to exerciſe it, notwithſtanding our endeavours to obtain her relinquiſhment, France declares by this decree, that ſhe will exerciſe it alſo, in expreſs violation of the treaty. The reaſon aſſigned for it by her miniſter is, "that ſince Britain "continues to exerciſe this right, France could find "only a real diſadvantage in the articles of her treaty "with us, whereby ſhe has reſigned it:" Thus expreſsly avowing the principle, that ſhe has a right to refuſe the performance of a ſolemn engagement whenever ſhe may think its operations diſadvantageous to herſelf.

The miniſter ſays, that he has no doubt that we would acknowledge the juſtice of this meaſure, and that he would order his note to be printed for the purpoſe of making known publicly the motives whereby the French government has been guided in adopting the meaſure. In this he kept his word, and the note was publiſhed.

On the 15th of November, 1796, the French miniſter, performing, to uſe his own words, "a duty "painful but ſacred," ſignified to us "the reſolutions "of a government terrible to its enemies, but gene-"rous to its allies:" this note, which he alſo publiſhed, contains the whole liſt of complaints urged againſt us by France, and announces that his functions as miniſter were from that time to ceaſe. This ſuſpenſion, however, he tells us, muſt not be regarded as a rupture between the two nations, but as a "mark of "juſt diſpleaſure on the part of France, to continue "till our government ſhould return to ſentiments and "meaſures more conformable to the intereſts of the "alliance, and to the ſworn friendſhip between the "two nations;" and after reminding us, in very inflammatory terms, of the cruelties of the Engliſh, and the *generous aſſiſtance* of France, he concludes with an aſſurance, "that when our government ſhall return to *itſelf*, "we ſhall again find in the French faithful friends and "generous allies."

Such is the ſcope of that famous manifeſto, wherein M. Genet's threat of an appeal to the American people againſt their government, was carried into execution!

Other meaſures, in the mean time, had been adopted in purſuance of this ſyſtem. On the 1ſt of Auguſt, 1796, the ſpecial agents of the Executive Directory in the Weſt-Indies iſſued a decree, authorizing the capture and condemnation of all veſſels loaded with contraband goods. The pretext for this decree was, that ſome of the United States, eſpecially Virginia, had fitted out veſſels loaded with contraband articles for the Engliſh, contrary to the law of nations; which, as

the decree affirms, forbids neutrals to carry contraband goods to the enemy.

This, however, in the firſt place, is not true. The law of nations does not forbid neutrals to carry contraband goods to the powers at war; it provides only, that if thoſe goods are taken by the enemy of that power to which they are going, they may be made prize. Neutrals, therefore, may lawfully ſend contraband articles to any or all the powers at war; but they are ſent under the riſk of capture and condemnation by the oppoſite party.

This had been admitted by Mr. Adet; for although he complained at firſt of our ſupplying the Engliſh with horſes, which by the French treaty are contraband, yet this explanation having been given, he omitted the complaint in his manifeſto.

In the next place, by the law of nations, and the expreſs terms of the French treaty the contraband goods alone are to be condemned, but neither the ſhips which carry them, nor the reſt of the cargo. This decree, however, makes both the ſhips and the whole cargo liable to condemnation; and, conſequently, is a direct and formal violation of the law of nations, and the treaty between us and France. The decree does not ſay expreſsly, that the reſt of the cargo ſhall be condemned; but it is underſtood in that manner by the French agents in the Weſt-Indies, and in that manner executed.

The law of nations and the treaty, moreover, make contraband goods liable to condemation in the ſingle caſe only where being ſent to one party at war, they are taken by the other. But this decree ſubjects them to capture in all caſes, whether bound to French or Engliſh ports, and with them the ſhips and cargoes.

On the 27th of November, 1796, the French commiſſioners at Cape François paſſed a decree authorizing the armed ſhips and privateers of France to capture all American veſſels *bound to or from Engliſh ports*. This decree was founded on the act of the Directory, declaring that France would treat neutrals as they ſuffered

themſelves to be treated by the Engliſh; but this act, iniquitous as it was, did not juſtify the decree; for at the time of paſſing the one and the other, the orders of the Britiſh for the capture of neutral veſſels bound to French ports had long ceaſed to exiſt.

It is to be obſerved, moreover, that thoſe orders never went as far as this decree.

The firſt, thoſe of June 8th, 1793, directed "all veſ-"ſels laden wholly, or in part, with *corn, flour, or meal,* "and bound *to* any port in France, or occupied by the "arms of France, to be brought in, and the corn, flour, "or meal, to be purchaſed and paid for with freight." But the decree orders all American veſſels, whatever may be their lading, bound *to* or *from* Britiſh ports to be captured.

The orders of the 6th of November, 1793, directed all ſhips laden with goods, *the produce of any colony belonging to France,* or carrying *proviſions* or *other ſupplies* for the uſe of *ſuch colony,* to be brought in for adjudication. Even this falls ſhort of the decree; which directs all American veſſels, bound to or from Britiſh ports, and *however laden,* to be captured.

On the 8th of January, 1794, theſe obnoxious orders of November 6th were repealed, and inſtead of them, it was ordered that all ſhips of the following deſcription ſhould be brought in for adjudication. 1ſt. Ships with their cargoes laden with the produce of the French iſlands, and bound directly from thence to any port in Europe. 2d. Ships with their cargoes laden with French property, being the produce of thoſe iſlands, and bound to any place. 3d. Ships attempting to enter any blockaded port in theſe iſlands; and 4th. Ships bound to any port there, and laden, in whole or in part, with naval and military ſtores. Theſe laſt orders, tho' extremely outrageous, and a clear infraction of the law of nations, ſtill fell far ſhort of the French decree, which conſigns to capture all our veſſels indiſcriminately bound to or from any Britiſh port in America, Europe, or elſewhere. They, as well as the preceding ones, have all been long ago countermanded, and the Britiſh have

engaged to make compenſation for the acts done under them.

Theſe orders were further diſtinguiſhed from the French decree in queſtion by another equally important circumſtance. They extend to all *neutral* veſſels alike; whereas the decree is confined ſolely to *American* veſſels; which proves, that it is not, like the Britiſh orders, a meaſure of general policy towards all neutral ſtates, but of particular reſentment and hoſtility againſt us. It is, moreover, in direct violation of a treaty, which was not the caſe with the Britiſh orders. The Britiſh too had ſome provocation, and made us no profeſſions of friendſhip. We had celebrated their defeats, and thoſe of their allies, by univerſal rejoicings; and had ſhown their enemies every mark of public good will, and private affection. The direct contrary of all this took place towards France, and yet ſhe has treated us abundantly worſe.

This decree, however, of the commiſſioners at Cape François, unjuſt and injurious as it is, falls ſhort of one ſince adopted by the French agents at Guadaloupe. On the firſt of February, 1797, they decreed, that all neutral veſſels bound to any port in the Weſt Indies, which had been delivered up to the Engliſh and was occupied and defended by the Emigrants, and all neutral veſſels cleared out for the Weſt Indies *generally*, ſhould be liable to capture and condemnation.

The French government has never publicly confirmed and acknowledged theſe decrees; but it has never diſapproved, much leſs countermanded them: And they are carried into execution with every circumſtance of inſult and injury. The veſſels taken are ſent into one port, their papers into another, and the captains and crews into a third. When brought to trial, nothing is heard in favor of the owners; and, indeed, as the papers and captains are ſent to another place, there is often no perſon to make a defence, nor any means of ſupporting it. Veſſels bound to neutral, and even French ports, are often taken and condemned: Copies of the condemnation are generally refuſed: The captains and

crews are ſometimes beaten, always left deſtitute of ſubſiſtence, and generally confined, as priſoners of war, in dungeons or on board of priſon-ſhips; where a miſerable and ſcanty allowance of the worſt food ſcarcely ſuffices to prolong their ſufferings.

The number of ſhips taken, as far as has yet been aſcertained, is above two hundred and fifty: There is no accurate amount either of the value of property, or the number of ſeamen.

Theſe are ſome of the marks of "juſt diſpleaſure," whereby France reminds us that ſhe is "terrible to her "enemies," and admoniſhes our government "to return "to itſelf," to conform to her orders!

In the mean time, as ſoon as the Preſident was informed by the diſpatches from our Miniſter at Paris, which have been already mentioned, that the French government expreſſed ſerious diſcontent at the meaſures we had purſued, he reſolved to ſend a new Miniſter, for the expreſs and ſpecial purpoſe, as his credentials declared, "of baniſhing ſuſpicions, effacing unfavor-"able impreſſions, and reſtoring harmony." General Pinckney was ſelected for this purpoſe, not only on account of his talents and great reſpectability of character, but alſo for his known good will to France, and warm attachment to her cauſe. He ſailed from Charleſton in Auguſt, 1796, and having ſtopped at Philadelphia for his inſtructions, arrived at Paris in December following, and laid his credentials before the Directory.

The Directory, however, refuſed to receive him as Miniſter, and informed his predeceſſor, whoſe letters of recall had been preſented at the ſame time, *that they had determined not to receive another Miniſter Plenipotentiary from the United States till after the redreſs of grievances demanded from the American government, and which France had a right to expect.* This was ſaying, in plain and expreſs terms, "we will hear "nothing from you, till you have firſt ſubmitted to "our will as already made known to you."

They even refuſed him cards of hoſpitality, by which alone, according to their laws, his perſon could be

protected from arreſt; and told him, verbally, through his ſecretary, that they expected him to leave the country. They went ſo far as to intimate, that if he did not depart he ſhould be arreſted. With becoming firmneſs and dignity, however, he declared that he would rely on the protection of the Law of Nations, and muſt remain at his poſt, till he had received a written order to leave it, whereby he might be juſtified to his own government. This order they perſiſted in refuſing, till they heard of Buonaparte's laſt victory in Italy. The day after that intelligence arrived, which was towards the laſt of January, General Pinckney received a written order to quit France. He immediately went to Holland, where he now remains waiting for new inſtructions.

Thus has France not only refuſed to liſten to our explanations till we ſubmit implicitly to her will, but driven from her territory with ignominy and inſult, a miniſter ſent like a meſſenger of peace, for the expreſs purpoſe of " removing unfavorable impreſſions, and " reſtoring harmony."

This, to uſe the language of the Preſident in his late manly and patriotic ſpeech to Congreſs, " is to " treat us neither as allies, nor as friends, nor as a ſove- " reign ſtate."

Purſuing ſtill the ſame ſyſtem, the Directory, on the 2d of March laſt, publiſhed a decree, whereby our treaty with France is expreſsly violated in two important points, under pretence of aſſimilating it to that with Britain: And it is further declared, " that every " American who ſhall hold a commiſſion from the " enemies of France, as well as every ſeaman of that " nation, compoſing the crew of the ſhips or veſſels (of " thoſe enemies I ſuppoſe) ſhall by *this fact alone* be " declared piratical, and treated as ſuch, without ſuf- " fering the party to eſtabliſh, that the act was the " conſequence of threats or violence."

This laſt regulation, worthy in bloodineſs and injuſtice, of a country whoſe citizens have butchered two hundred and fifty thouſand women, carried infants

to be drowned ſtuck on the points of ſpears, and chopped off the hands of mothers ſtretched out for mercy to their tender babes *, is ſheltered under the pretext of a ſtipulation in the Britiſh treaty, which provides that ſuch Americans as take commiſſions from the enemies of Britain, to *privateer* againſt her ſubjects, may, if taken by them, be treated as pirates. Our treaty with France contains preciſely the ſame ſtipulations; ſo alſo do thoſe with Holland, Pruſſia, and Sweden. It is found in almoſt every treaty, and means no more in our caſe, than that if our citizens take commiſſions from a foreign power to privateer againſt people with whom we are at peace, and ſhould fall into their hands, we will not interfere in their behalf. It extends only to our own citizens, not to thoſe of France; to ſuch as take *commiſſions* to *privateer*, not to ſailors, even on board of privateers, nor to perſons having commiſſions in public ſhips of war; not to puniſhment which we engage to inflict, but to ſuch as thoſe who take our citizens in theſe unlawful purſuits may inflict, without our interpoſing for its prevention.

And in revenge for this wiſe, equitable, and almoſt univerſal arrangement, which, though it now offends France by preventing in ſome degree our ſeamen from augmenting her marine, ſhe herſelf entered into with us long before we made it with Great Britain; the French government has declared not that in caſe of our being engaged in war, her citizens ſhall not take commiſſions

* It has been proved, by judicial proceedings, that acts of this kind took place at Nantz, under the authority of the agents of the Convention. Others, equal in cruelty, happened in various other places, particularly at Lyons, Avignon, Laval, Samur, Arles, &c.

It is computed that in the year 1795, 2,000,000 of perſons had been maſſacred in France during the revolution; of thoſe 250,000 were women, 230,000 children, and 24,000 miniſters of the Goſpel! This computation, which amounts to nearly one-tenth of the whole population of France, does not include any who were killed in arms.

See a work called, "The Cruelties of the Jacobins," publiſhed in Paris in 1795.

from us to privateer againſt our enemies, which would be the utmoſt extent of juſt retaliation, but that ſhe will treat as pirates all ſuch of our citizens, whether with or without commiſſions, as ſhall be found on board of her enemies' veſſels, whether public ſhips of war or privateers; and, with a thirſt of vengeance, as inhuman as it is unjuſt, ſhe adds that they ſhall experience this treatment for the ſimple fact of being on board, though brought there by *threats*, or even by *force!*

Thus, if an American ſeaman has the misfortune of being impreſſed by a Britiſh ſhip, he is liable to be hanged for it by France! Such is the conduct of a nation which perpetually proclaims its own juſtice and magnanimity, and boaſts of "being generous to its allies."

This decree, it might have been ſuppoſed, would fill up the meaſure of unprovoked and inſolent aggreſſion. But, No! Not content with acting thus towards us herſelf, France has endeavoured to excite the Dutch and Spaniards againſt us likewiſe. The poor humiliated dependent Dutch, afraid to refuſe, begged off for a while, and were excuſed. Her attempts, however, in all appearance, have been renewed; and, as ſhe has 25,000 troops in their country, there is little probability of their being able to hold out. As for Spain, ſhe has come into the meaſure; her miniſter has lately preſented a memorial containing the complaints of his Catholic majeſty: Theſe complaints are, for the moſt part, an echo to thoſe of France. There is one, however, peculiar to Spain, the manifeſt and even ridiculous futility of which, may be taken as an example of all the reſt. Spain has been made to complain of the Britiſh treaty as an infraction of that concluded lately with her; notwithſtanding this Britiſh treaty was prior in ratification by more than ten months.

Thus, in caſe we are driven into a war with France, are thoſe two nations to be compelled to join her, as they have done in that againſt Great Britain. Their fate in both will no doubt be the ſame. It will be out of their ſpoils that we alſo, like Britain, ſhall take our

indemnification; and this affords a complete and moſt uſeful example of the arbitrary and ſelfiſh conduct of France towards thoſe powers whom ſhe can frighten or ſeduce into her meaſures. She compels them to form an alliance, for which they pay with moſt of their wealth and a part of their territories; and then ſhe forces them to join her in wars, wherein, having no poſſible intereſt, all their reſources are ſacrificed to promote her ambition or revenge. This is the fate ſhe intended for us, had ſhe been able to draw us into her ſnares. This was the *common cauſe* with her, wherein Genet was inſtructed to engage us; this was the meaning of thoſe *efficacious meaſures* againſt Britain, about which his two ſucceſſors never ceaſed to declaim.

That her object, from the beginning, has been to draw us into the war, is manifeſt, not only from the inſtructions to Genet and the correſpondence of his ſucceſſors, but alſo from the meaſures themſelves, which ſhe wiſhed us to adopt, from the plan of aggrandizement we ſee her purſuing in Europe, and from her uniform conduct towards other countries.

As to Mr. Genet's inſtructions, they are full and explicit; they go directly to the object, and point out, not unſkilfully, the means whereby it was to be effected. This nobody has denied; but ſome have been of opinion, that when he was recalled, the ſyſtem was abandoned.

If ſo, whence thoſe reiterated complaints by his ſucceſſors, that we had not adopted *efficacious meaſures* to make our neutrality reſpected by Britain, and to compel a relinquiſhment on her part, of rights which we acknowledged her to poſſeſs? What more efficacious meaſures, than thoſe which we had purſued, were in our power, ſhort of hoſtility, or of what muſt have produced it? Why did Mr. Fauchet on the 2d of May, 1795, * ſay to the ſecretary of ſtate, "I "hope, therefore, Sir, that the executive of the United "States *will not reſt ſatisfied* under its treaty with

* See his letter of that date.

" England, ſince every thing proves that *that mean is* " *inſufficient?*" What did he mean by our not " reſt- " ing ſatisfied" under the treaty? What could we do if reſolved " not to reſt ſatisfied with the treaty," but employ coercive means to extort what, according to him, the treaty had been found inſufficient to obtain? Why after informing us, * " that the hiſtory of " our neutrality would prove it to have been a prey " to the arbitrary conduct of Great Britain," did he aſſert the " neceſſity of an *energetic and vigorous reac-* " *tion* on our part, and a ſolemn reparation, which by " giving to America what her *honour required*, would " have manifeſted towards the French Republic the in- " clinations and intentions of our government?" We had already done what we thought ſufficient, or in our power, for protecting our neutrality; what then, beſide hoſtility, could have been meant by an *energetic and vigorous reaction?* Why did he recall † *ſpecially* to our attention " the *energetic* and liberal execution of our " treaty with France, and the ſupport of our neutra- " lity upon a reſpectable footing?" We have already put it on the moſt reſpectable footing, in our power by any means ſhort of war? Why then talk to us of *energetic* meaſures, and a " reſpectable footing," unleſs ſomething more was to be done, and ſome further means to be uſed? Why did Mr. Adet in his note of September 29th, 1795, tell us that " he had no doubt " but that we would *oblige* England to ceaſe from vio- " lating the rights of nations." Whence the clamour, ſtill freſh in every one's recollection, againſt the pro- clamation of neutrality, which this miniſter has branded as inſidious, but which having no poſſible object but the preſervation of peace, could not have given offence unleſs war had been deſired? Why did he make it a ground of complaint afterwards, " that " we had not compelled England to reſpect our neu- " trality;" that is, according to him, to relinquiſh the right of taking enemies' goods out of neutral ſhips? Was it not manifeſt, and well known to this miniſter,

* In his letter of June 8th, 1795. † In the ſame letter.

that we had done every thing in our power to accompliſh thoſe objects, except attacking England? How were we to *oblige* her to deſiſt from violating the *rights of nations*, but by war?

If in fine the ſyſtem of Mr. Genet, whereof an alliance offenſive and defenſive was manifeſtly a part, had been relinquiſhed at his recall, why were all his pretenſions renewed and enforced on the 15th of November, 1796, by the manifeſto of Mr. Adet?

The meaſures themſelves, which France required us to adopt, leave no doubt about her objects. In the firſt place, that we ſhould compel Britain to relinquiſh the right of taking enemies' goods on board of neutral ſhips. This right ſhe knew that Britain had always refuſed to relinquiſh in time of war; even in the American war, when ſhe ſtood alone againſt the United States, France, Spain, and Holland; and when Ruſſia, Sweden, Denmark, Pruſſia, and the Hanſe towns, had formed an aſſociation to repel the right. She had never, of late years at leaſt, renounced it, even in peace, except to France herſelf in 1786; and then ſhe received very great equivalents. For us, therefore, to inſiſt on her relinquiſhment of this right, during ſuch a war as the preſent, wherein her very exiſtence is ſtaked on the ſupport of her maritime ſuperiority, and the extent of her commerce, France well knew would be a vain attempt, which, if perſevered in, muſt infallibly end in war. On this point, therefore, ſhe inſiſted with unwearied and importunate perſeverance; and made it the grand hinge of all her complaints.

So, alſo, as to the impreſs of ſeamen: She well knew that Britain claimed the right of impreſſing ſuch of our ſeamen as having been our ſubjects at the concluſion of the revolution war, had ſince that time come to ſettle in this country. This was a right liable to abuſe indeed, and very much abuſed, but too important to England, in a maritime war, to be relinquiſhed. This France well knew, and accordingly ſhe required us to compel the relinquiſhment; an attempt to effect which muſt of neceſſity have brought on a quarrel.

She further required us to admit a conſtruction of the treaty with her, whereby ſhe would have been permitted to arm veſſels, enliſt crews, and ſell prizes in our ports, captu e Britiſh veſſels within our juriſdiction, and exclude every Britiſh ſhip of war from our harbours. To this partiality, ſo advantageous to her, and ſo hurtful to her enemy, and in no wiſe intended by the treaty, ſhe well knew that Britain would not patiently ſubmit; for the latter had already begun to complain. Had we in compliance with the importunate and clamorous demands of France, adopted this ſyſtem, there is no doubt that Britain would have oppoſed it: For a proud and angry rival is not apt to ſee, without diſcontent, favours injurious to itſelf gratuitouſly accorded to its opponent. Hence abundant matter for a quarrel muſt have ariſen. All this France knew, and ſhe urged the demand with increaſing earneſtneſs.

Theſe were the leading meaſures required of us by France, and they all had an obvious and neceſſary tendency to bring about a war: A tendency whereof it was impoſſible for her to be ignorant. Hence the eagerneſs with which ſhe purſued them, and her vexation and reſentment at ſeeing them defeated. The ſame tendency, though not in all caſes equally ſtrong, may be perceived in all her other ſteps.

But it will be impoſſible to underſtand fully the views of France in this country, without attending a little to her projects in Europe.

It is perfectly well known, that ſhe long ſince formed, and ſtill purſues with the moſt ſteady perſeverance, a ſyſtem of aggrandizement in Europe, for enſuring the ſucceſs of which, it is abſolutely eſſential that the maritime power of England ſhould be reduced. Germany oppoſed barriers to her by land, which were alſo to be removed. Accordingly Germany was to be divided, and a maritime coalition formed againſt England. Of this coalition the United States were to form an important part; for though we had no navy, it was known that we had the means of ſpeedily forming one; and that when once engaged in the war

we ſhould be obliged to exert them. The great number of our merchant ſhips, in the mean time, the ſkill, numbers, and enterprizing character of our ſeamen, the abundance of proviſions and naval ſtores in our country, the convenience of our harbours, and above all our vicinity to the Weſt Indies, where the commerce and navy of England are moſt eaſily ſuſceptible of a deep and deadly wound, would have rendered us a moſt important ally in a maritime war againſt that power. To cut off our commerce with her at the ſame time, the importance whereof to her, though certainly great, has been far over-rated by France, would greatly aid the blow.

Accordingly we find that as ſoon as the republic and the power of the Jacobin leaders were eſtabliſhed, and before the war with England commenced, Mr. Genet was ſent out with expreſs inſtructions to bring about this alliance; and I have been aſſured by a gentleman, who about that time acted a conſiderable part in the convention, but has ſince viſited America, that this maritime coalition was early deviſed, and that "nothing was wanting to its completion but the "conſent of the United States." "That conſent," he added, with an air of reſentment which four years have not been able to allay, "*was applied for and was* "*refuſed.*"

In this refuſal, and in that proclamation of neutrality againſt which the miniſters of France have never ceaſed to cry out, from Genet who ſaid "it was a "breach of the treaty," to Adet who brands it as "inſidious," was laid the foundation of our preſent quarrel with France. She did not, however, begin the quarrel immediately; for ſhe ſtill entertained hopes of drawing us gradually into the war by fomenting our ancient differences with England, and prevailing on us, under the pretext of fulfilling our obligations by treaty and the laws of neutrality, to adopt meaſures which her antagoniſt would not have failed, and juſtly too, to conſider as hoſtile. When ſhe ſaw theſe efforts conſtantly baffled by the firm prudence of our govern-

ment, and all her hopes of a quarrel finally extinguiſhed by the treaty with Britain, ſhe then ſuffered her reſentment to blaze out in the meaſures which ſhe now purſues.

In the mean time, the plan went on in Europe, and was purſued with varying ſucceſs, but undeviating perſeverance: Nor did it receive the leaſt check or alteration from the frequent changes of government in France. Various factions wiſhed to rule at home, and in their ſtruggles for power, ſlaughtered each other without remorſe or forbearance: But they all had the ſame object as to their neighbours; and that object was aggrandizement to France at their expence.

They began with Germany, which being neareſt to them, it was neceſſary firſt to cripple. They conſidered it likewiſe as the moſt vulnerable, by the two weapons wherewith they meant to aſſail all Europe. Thoſe weapons were *diviſion and inſurrection*. Mr. Fauchet, in his intercepted diſpatch, has informed us, that France had an eye to the uſe that might be made of them here alſo.

Germany is compoſed of a great number of independent powers, ſome of them very inconſiderable, and all held very looſely together by a kind of league, at the head of which is the Emperor. Auſtria, which compoſes the peculiar dominions of the Emperor, is by far the moſt powerful of the German ſtates, and poſſeſſed alſo of very extenſive dominions out of Germany, eſpecially in Italy and Belgium. Pruſſia comes next, which, though formerly inconſiderable, was raiſed by the talents and long reign of the late king to a very high pitch of power and importance. This power regards itſelf as the rival of Auſtria, againſt which it entertains a jealouſy mixt with reſentment and dread. Theſe two great powers mutually balance and controul each other in the affairs of Germany; and the ſmaller ſtates adhere ſome to the one, and ſome to the other, as general policy or particular motives may happen to dictate.

It is eaſy to ſee how abundantly the ſeeds of divi-

ſion are ſown in this ſyſtem. Theſe were alſo circumſtances which ſeemed to favour the plan of exciting inſurrection.

All the governments of Germany, except a few towns, were arbitrary in their form; and ſome of them very oppreſſive in their practice: And although the apparent vices of theſe governments were greatly corrected by mild cuſtoms and fixt laws for the ſecurity of perſon and property, which could not eaſily be violated; yet there, as in all other countries where a vaſt population, and its certain conſequence, great inequality of conditions, have taken place, there were great numbers, who poſſeſſing little, and obliged to gain their ſubſiſtence by conſtant labour, would naturally look with an eye of diſcontent on the wealth and privileges of the ſuperior claſſes. It was by this deſcription of people that France meant to work. It was by exciting them to inſurrection, that the perſons who then directed her affairs had enſlaved their own country, after overturning a government eſtabliſhed by free and general conſent; and it was by the ſame engine that they intended to ſubjugate Germany, having firſt ſubverted and trampled under foot thoſe governments whereby her force had been united and directed.

Thoſe who had nothing were to be the inſtruments abroad as they had been at home; and they were to be ſet to work by pointing to the plunder of thoſe who had ſomething. Their exertions were to be aided by large bodies of French troops drawn to the frontiers, and held in readineſs to profit by circumſtances. To repel ſome ſmall aſſemblages of French emigrants, whom the Emperor himſelf had compelled to diſperſe, was the pretext for theſe armaments; meanwhile every expedient of fraud and diſſimulation was uſed to lull the vigilance of the German ſtates, and enflame their reſentments and jealouſies againſt each other *.

* The French carried this diſſimulation ſo far, as to aſſure the Emperor, that they abhorred the idea of exciting commotions; and when England afterwards complained of their meaſures for this purpoſe, they aſſured her, that thoſe meaſures were not

The king of Pruſſia, however, and the Emperor, threatened alike by this common and formidable danger,

meant to affect her, but were *excluſively intended againſt Auſtria and Pruſſia!* See the correſpondence.

Nothing can be more inconteſtable than the poſition, that France was the aggreſſor in the preſent war. Any one who will read the correſpondence between the courts of France and Vienna, will find that before the Auſtrians and Pruſſians began to arm, or took any hoſtile meaſures of any kind, France threatened and alarmed Germany, and the Low Countries, by great military preparations on their frontiers. This was not denied by France; but ſhe juſtified it under various pretexts. One was, the neceſſity of repelling the emigrants. But the forces collected were ten, perhaps twenty times more numerous than the emigrants who were collecting in arms. The Emperor had, moreover, forbidden them to aſſemble in arms on his territory. He had actually compelled them to diſperſe; and had induced the German princes in the neighbourhood of France to adopt the ſame ſyſtem. Some ſmall corps of emigrants did, notwithſtanding, remain in arms in different places, but not on the Emperor's territories; and they were too inconſiderable to give any alarm to France. Another pretext was, the convention of Pilnitz; but this convention was in its very nature defenſive and eventual. It was an agreement between the Emperor and king of Pruſſia, that if either of them ſhould experience thoſe attacks from France wherewith they were threatened, they would aſſiſt each other; and, moreover, that they would protect the king of France from perſonal violence. They did not arm in ſupport of this convention; and, as ſoon as the king gave his aſſent to the conſtitution, and declared himſelf free, they ſuſpended the convention by a public declaration. Another pretext was, that the Emperor had ſent additional troops into ſome of the frontier dominions, and had directed one of the generals to march to the aſſiſtance of a certain German prince ſhould he be attacked. But the Emperor had a right, and was alſo bound to aſſiſt the German ſtates if attacked; and, as to the additional troops, they did not exceed four thouſand, the uſual compliment of recruits ſent annually to his peace eſtabliſhment in that quarter; while France had drawn a large army to the ſame quarter. Theſe facts were ſtated on the part of Auſtria in the correſpondence, and not denied by France. A fourth pretext was, that the Emperor gave protection to the emigrants; but he gave them an aſylum only and hoſpitality, with an expreſs prohibition to arm on his territories. France demanded of him to reduce his troops, while ſhe expreſsly refuſed to reduce hers, to drive away the emigrants, and to abandon the convention of Pilnitz; and becauſe he refuſed to comply with theſe demands, ſhe declared war againſt him. The ſame happened with reſpect to Pruſſia.

reſolved to ſuſpend their animoſities, and unite in meaſures for the common defence. France required them

The French miniſter who was at Vienna, when the war broke out, declared it as his opinion, *that the ſyſtem of the Emperor was pacific.* Mr. De Leſſarts, who was miniſter for foreign affairs in France at the ſame time, and who carried on the correſpondence which preceded the war againſt Auſtria and Pruſſia, wrote a letter afterwards to Mr. Neckar, in which he declares, "that it was "clear to demonſtration, that they (the Auſtrians and Pruſſians) "were unwilling to make war againſt France; that it was evident "from unanſwerable proof, that France provoked them to hoſti-"lities, and ſet all Europe againſt her." See Neckar's Addreſs to the French people in behalf of Louis the ſixteenth, wherein this letter from De Leſſarts is cited.

The teſtimony of Briſſot to the ſame point, will perhaps be thought worthy by ſome of more credit. When accuſing the French king in the Convention, of want of fidelity to the nation, he charged him with *unwillingneſs to attack Auſtria*, and exclaimed, "we," meaning himſelf and his party, "compelled him to declare "war, in order to put him to the teſt." After the king was dethroned, Briſſot juſtified the war, and took the credit of it to himſelf and his friends. "Without the war," ſays he in his gazette of September 22d, 1792, "the revolution of the 10th of "Auguſt would never have taken place; without the war, France "would never have been a republic;" and, in his addreſs to his Conſtituents, page 56, he declares, "that the war with Auſtria "was forced on France by outrages and threats, and that to en-"ſure ſucceſs ſhe was *obliged to begin it.*" It has already appeared what theſe "outrages and threats" were; and we have the teſtimony of Briſſot himſelf, that it was not by them that the war with Auſtria was rendered neceſſary, though they were uſed as the pretexts. It was to bring about the revolution of the 10th of Auguſt; to give the Briſſotine party arms, wherewith they might deſtroy the king and conſtitution, and afterwards rule the nation under pretence of eſtabliſhing a republic. In the mean time, it being clear that every man's teſtimony is good againſt himſelf, we muſt believe on that of Briſſot, that he and his party *began the war againſt Auſtria.*

As to Holland, they declared war againſt her without ceremony or pretence; except that ſeeing her frontiers approached by war, ſhe had taken ſome precautions purely defenſive. They even violated her acknowledged rights before ſhe began thoſe precautions.

With reſpect to England, it is perfectly certain that France was the aggreſſor; beſides the facts and papers which ſpeak for themſelves, the point is eſtabliſhed by the poſitive teſtimony of three French writers, all well informed, and two of whom acted a very conſiderable part in the revolution and in the war.

to relinquiſh thoſe meaſures, to diſarm while ſhe was increaſing her force on their frontiers; and when they refuſed, ſhe immediately declared war againſt them. Her miniſter at Vienna, at that time declared, that the Emperor was diſpoſed for peace. Her miniſter for foreign affairs declared the ſame thing; and a proof of it is, that * three months elapſed after this declaration, before the Auſtrians and Pruſſians were able to collect an army on the frontiers of France ſufficient for offenſive operations.

Theſe are Calonne, Briſſot, and Dumourier; all of whom affirm that France attacked England. Briſſot was a leading member of the Convention at that time, and when he was afterwards brought to the block, one of the charges againſt him was his having been the author of the attack. He replied, that Robeſpierre's party were the authors of it: But he did not ſay that France was not the aggreſſor, which would have been a complete juſtification. On the contrary, he aſſerted that France was the aggreſſor moſt unwiſely, and that Robeſpierre's party had induced her to become ſo. In his Appeal to his Conſtituents, he ſays the ſame thing over and over: In this Appeal, p. 47, he expreſsly aſſerts, that England *did not begin to arm till three months after France.* He alſo ſays, page 60, "that a determina-"tion had been made to brave all Europe."

In October, 1792, the Convention, as appears by the ſame authority, had ordered formidable naval equipments to be made *in expectation of a war with the maritime powers.* This was previous to moſt, if not all, of thoſe acts on the part of England, which France made the grounds of her declaration of war.

Dumourier loudly charges the Convention with having driven England into the war, which he repeatedly declares might eaſily have been avoided.

See his Life, 3d vol. containing the hiſtory of his campaigns.

It muſt at the ſame time be admitted, that although the combined powers were attacked and driven into the war in their own defence, yet, when they found themſelves engaged in it, and began to entertain proſpects of ſucceſs, they alſo began to form projects of aggrandizement at the expence of France. It is alſo highly probable that moſt of the powerful governments became very little averſe from war, when they found reaſon to ſuppoſe that France, by her internal commotions, and the univerſal indignation which the execution of the king and the murders at Paris had excited againſt her, had become an eaſy prey. It is not, however, the leſs true, that France began the war, particularly againſt Holland and England, which for a long time ſhewed every appearance of deſiring peace.

* The declaration of war was April 20th, 1792. The Duke of Brunſwick did not begin his march from Coblentz till July 27th, 1792.

The Emperor's dominions in Belgium, being at a great diſtance from his other territories, and in the cloſe neighbourhood of France, were expoſed to an immediate and eaſy attack. They were alſo thought more obnoxious to the weapon of *inſurrection* than any other country; for though they enjoyed the freeſt conſtitution of any people on the Continent of Europe, except the Swiſs and Dutch, ſome invaſions of their rights, attempted by a former Emperor, had planted deep the ſeeds of diſcontent and diſtruſt. Theſe attempts had been given up by Auſtria; but the jealouſy and reſentment inſpired by them, were far from being extinguiſhed. Theſe ſparks it was the care of France to fan by emiſſaries and promiſes; and, when her armies entered the country, they were preceded by declarations that they came as the friends of the people, to aſſiſt them in breaking the chains of their ancient tyrants.

We have already ſeen what kind of friendſhip it was which they had for the Belgians, and how the chains of this deluded people have been broken. They have been plundered of every thing they poſſeſſed to repleniſh the treaſury of France, drained of all their reſources to ſupport her armies, and are now ſubject to a military government.

England for a while was let alone: It was not the ſeaſon yet for attacking her, till Auſtria and Pruſſia ſhould be exhauſted, Holland ſubjugated, and Belgium annexed to France. The maritime coalition, moreover, had not yet been formed; conſequently the plan againſt England was not yet ripe. Correſpondence in the mean time was kept up with the revolutioniſts in England and Ireland; open encouragement was held out to them, and their deputations had public audiences from the French convention.

The Britiſh government was alarmed at theſe meaſures. It alſo took umbrage at the proceedings in Belgium, and the attacks made on Holland, with which laſt it was in alliance. It complained of theſe

attacks, and of the decrees whereby the Convention had made a formal promiſe of ſupport to the inſurgents of every country. The Convention juſtified the attacks on Holland, and aſſured England that the decrees had been miſunderſtood; that they meant nothing at which any government ought to be offended, and were only to be executed in caſes where a whole people having reſolved to change their government, ſhould call for the aſſiſtance of France. On the ſame day when theſe aſſurances were made, the Convention ſent commiſſioners into Belgium to execute thoſe decrees, with inſtructions to "treat as enemies all "perſons *and even whole countries*, which ſhould "refuſe to alter their governments according to her "will."

England in the mean time, juſtly conſidering theſe explanations as deceptive and unſatisfactory, went on with her preparations for the defence of herſelf and her ally. France required her to deſiſt; and when ſhe refuſed, and ſent away a miniſter who employed himſelf in exciting ſedition, war was declared againſt her. This war many of the politicians of France condemned *becauſe it was declared too ſoon:* And yet they confeſſed that France had begun to arm for it three months before England *.

* If any are in doubt of all this, or ignorant of it, they are requeſted to read the correſpondences between France and Auſtria, thoſe between England and France, the ſpeeches and reports of Briſſot, and his Addreſs to his Conſtituents, and the relation publiſhed by Chauſſard, one of the commiſſioners for executing the decrees in Belgium, wherein he gives an account of his own proceedings, and explains the plans of the Convention. The reply to Briſſot's Addreſs by Camile Deſmoulins, in behalf of the Robeſperrian party, ſhould alſo be conſulted: and Neckar's Addreſs to the French in behalf of Louis the ſixteenth. Briſſot in one of his letters declares, "we, "the French, muſt ſet fire to the four corners of Europe." Camile Deſmoulins in his reply, aſſerts, "that to *diſorganize Europe* was one of "the ſublime vocations of the Convention." Briſſot in his addreſs, "aſks what did enlightened Republicans wiſh before the 10th of Auguſt? the day when the king was dethroned) Men who wiſhed

In the courſe of the war, means were found to detach the king of Pruſſia, by working on his avarice,

" for liberty not only for their own country, but for all Europe? " They believed that they could generally eſtabliſh it, *by exciting the " governed againſt the governors, and letting the people ſee the facility and " advantage of ſuch inſurrections.*" But Chauſſard explains himſelf, and developes the ſyſtem, moſt fully. " No doubt," ſays he, " it " was the intereſt of France to raiſe and ſecure *by conqueſt* the trade of " the Belgic provinces, ſo crampt by that of Holland; and thence to " threaten and alarm the United Provinces, to place our aſſignats on " the very deſks of their counting houſes, *there to ruin the bank of " England*, and, in ſhort, to complete the revolution of the money " ſyſtem. It was the intereſt of France to monopolize, as it were, " theſe vaſt implements of trade, theſe manufactories of national proſ- " perity. It was the intereſt of France to weaken her mortal enemy " (the Emperor) to cramp his efforts *to aggrandize herſelf with his " ſpoils*: In ſhort, to mutilate the Coloſſus of Auſtria, by rending " from him theſe fertile provinces of Belgium, for obtaining and ſe- " ſecuring the poſſeſſion of which, he has, for ages, been laviſh of " gold, of blood, and of intrigues."

Thus alſo it was the intereſt of France to mutilate the Coloſſus of England, by rending from him the colonies in America. And yet ſhe tells us, and the Belgians, of her *diſintereſted ſervices* in giving our independence.

" England and Pruſſia," continues Chaſſaurd, in the words of a ſpeech which had been delivered in the Convention, and approved of by it, " know very well that France had the greateſt intereſt to " ſubſtitute a popular and repreſentative government for the ariſto- " cratic and degenerate one that actually exiſts in Holland; that *with " the forces of that country*, France would *irrecoverably deſtroy the trade " of England*, and by means of her navy ſoon command the Baltic; " and all that would be wanting would be a renewal in that part " of the North, of an alliance of ſituation then become neceſſa- " ſary; and that an intimate union between France and Holland " being once formed, *the ſupremacy of the Engliſh trade, both in the Eaſt " and Weſt Indies, would rapidly diſappear*; while Pruſſia on her ſide " would irrecoverably loſe, ſooner or later, all her poſſeſſions in " Weſtphalia."

Here the plan ſtands confeſſed. The Emperor was to be ſtripped in Belgium, and the king of Pruſſia in Weſtphalia. The bank of England was to be ruined by operations in Holland, and a popular government ſubſtituted in that country, in order to place its forces under the direction of France; and with theſe forces, aided by her own, France was to deſtroy, irrecoverably, the trade of England in Europe, and make its ſupremacy both in the Eaſt and Weſt Indies rapidly diſappear. And all this was to be effected, by ſetting fire to the four corners of Europe, and exciting

exciting his ancient rivalſhip and reſentment againſt the Houſe of Auſtria, and tempting him with the proſpect of a ſhare in its ſpoils. The price of this defection lay long concealed in the ſecret articles of the treaty of peace; and the king of Pruſſia remained quiet, being kept in awe by the Empreſs of Ruſſia, who threatened him in caſe he ſhould make any attempts againſt the Houſe of Auſtria, or the Germanic body.

The Empreſs, however, being lately dead, and her ſucceſſor having adopted ſome meaſures from which it was thought that weakneſs of character and incapacity might be inferred, if not a diſpoſition favorable to the views of France, the ſecret artieles have come

the people every where to inſurrection againſt the government. It muſt be confeſſed that a project ſo atrocious in its end, and ſo abominable in its means, has never been conceived before, not even by the Romans.

While all this was going on, the Convention, in order to hoodwink England, was making to her the moſt ſolemn aſſurances of pacific intentions. It even carried its diſſimulation to the almoſt incredible length of requeſting the mediation of England to bring about a peace with Pruſſia and the Emperor.

A further and a very ſtrong confirmation of theſe points is found in the date of the inſtructions to Genet, the manifeſt object of which was to bring the United States into a war againſt Great Britain. Theſe inſtructions were ſigned January 3d, 1793; the ſupplementary inſtructions, January 17th, 1793; Mr. Chauvelin was ordered to quit England, January 24th, 1793, and war was declared againſt England, February 1ſt, 1793. If this diſmiſſal was the occaſion of the war, as France alledged, why thoſe inſtructions before the diſmiſſal? Had France been diſpoſed for peace, as ſhe alledged, would ſhe, on account of this diſmiſſal, have declared war within ſix days after it took place?

And yet there are men, men too of talents and information, who remain blind to all this! Who, while France was openly forming projects of empire againſt all her neighbours, and openly preſſing forward their execution, by every mean of artifice and force, believed that ſhe was injured and attacked, becauſe in the face of her own acts ſhe ſaid ſo! From a late pamphlet, publiſhed by Mr. Erkine, and containing an ingenious and plauſible apology for the Engliſh oppoſition, it appears that he and his friends in Parliament, who certainly have high pretenſions to ability and information, are ſtill perſiſting in this error of regarding only the *declarations* of France, and wholly overlooking her *actions*.

to light, and the king of Pruſſia has aſſumed a very threatening tone and aſpect towards Auſtria. The Emperor of Ruſſia, however, it is ſaid, has given him to underſtad that he muſt be quiet, or expect an attack from the whole force of the Ruſſian empire. Thus much it is certain, that his hoſtile movements have abated; and thus the plan of turning the force of Germany againſt itſelf, has once more been defeated.

Belgium has in the mean time been over-run, and Holland has been ſubdued, partly by force and partly by diviſion: For France openly and avowedly raiſed up and ſupported a party againſt the government in the boſom of the country, which was powerfully inſtrumental in promoting her views. Spain alſo, too feeble and ſpiritleſs to defend itſelf, ſunk under the arms of France, and has been compelled to join her in the war.

In this ſituation, France finding her ſchemes oppoſed only by the vaſt maritime power of England, and the unbroken courage and conſtancy of Auſtria, formed the reſolution of deſtroying the commerce of England, thereby to cut off her pecuniary reſources, and tap the foundation of her naval ſtrength. This plan rendered the co-operation of the United States more important to her than ever; for ſhe conſiders us as one of England's beſt cuſtomers, and conſequently as the nation which contributes moſt to the ſupport of her commerce, her manufactures, and her wealth. Our ſituation too in the neighbourhood of the Weſt Indies, our abundance of proviſions and of warlike and naval ſtores, and the great number of our ſhips and ſeamen, would enable us to be very hurtful to England in war, as well as very uſeful in peace. By ſuch a war, indeed we ſhould ſuffer greatly; but that is no part of the care of France.

Accordingly ſhe has unceaſingly renewed, and preſſed with greater and greater eagerneſs, her indirect attempts to bring us into the war. Foreſeeing that her hopes of ſucceſs would be greatly leſſened, if not wholly deſtroyed by the treaty, ſhe oppoſed it

with all her might, and in all its ſtages. Even the unconſtitutional oppoſition to it in the Houſe of Repreſentatives, ſhe was aided by every means in her power. Finding all her attempts finally fruſtrated, her vexation and ill humour no longer knew any bounds, and ſhe reſolved to try different means for effecting what ſhe had in vain eſſayed to bring about by intrigue.

This is the true ſpring of her conduct, that her anger at the Britiſh treaty does not ariſe from any of its particular proviſions, but from its general tendency to preſerve peace between this country and Great Britain, is proved in the moſt manifeſt manner by the conduct ſhe purſues at this moment towards other neutral nations who have made no treaties with England. She has long threatened Portugal with invaſion by the Spaniards, unleſs ſhe would ſhut her ports againſt the Engliſh. She has lately required Hamburgh and Bremen to break off all commerce with England, and on their refuſal has recalled her miniſter from Hamburgh. She has made the ſame demand on Denmark; and even required the Danes to block up the month of the Elbe, a river not in their territories, againſt the Engliſh. We have not heard the pretext for theſe demands, which Denmark has pointedly refuſed; but no doubt they were founded on the French conſtruction of *the laws of neutrality*; the ſame laws whereby, according to France, the Swiſs were bound to drive the emigrants from their territories, and we to permit her to raiſe armies, equip ſhips of war, and ſell prizes in ours.

That ſuch is the real project of France and the true ſource of her anger at the Britiſh treaty, is further proved by the teſtimony of General Pinckney, who having travelled through a good part of France, and continued near two months in Paris, had the beſt means of penetrating their views. In his letter from Paris, February 1ſt, 1797, he ſays, " I moſt ardently wiſh " that we would baniſh all party diſtinctions and foreign " influence; and think and act only as Americans—for " all parties in this country (France) unite in thinking " that we ought to act *as if we were altogether their*

" *dependents*, and indebted to them ſolely, and not to
" our exertions, for our liberty and independence.
" *Hence*, our treaty with Great Britain is here generally
" execrated; and our having *any kind of commercial*
" *connexion* with that country, *even if the treaty had*
" *not been made*, would, I believe, have been diſliked.
" They wiſh to deſtroy the trade of England, and they
" look upon us as one of her beſt cuſtomers; *and to*
" *obtain their object they care not what we ſuffer.*"

This is the teſtimony of a man remarkable for the warmth of his good wiſhes towards France, and who, if he did not diſlike the Britiſh treaty, certainly never ſaid a word in its favor. From his teſtimony, as well as evidence of their own conduct, it manifeſtly appears, that their diſlike to the treaty does not proceed, as they pretend, from any ſtipulations in it injurious to them, but from its tendency to preſerve an amicable intercourſe between us and England.

The united force of all theſe conſiderations, drawn from the inſtructions to the miniſters of France in this country, and their conduct here, from the plain and direct tendency of the meaſures which ſhe wiſhed us to adopt, from the nature of her plans in Europe, and from her recent conduct towards the neighbouring powers, eſtabliſh in the moſt incontrovertible manner the opinion, that her object always has been to draw us into the war. This point is ſtill further confirmed by another event. It has been propoſed through the Dutch, to our miniſter at Holland, as appears by his letter of November 4th, 1796, that we ſhould make *common cauſe* with France and Holland againſt England, in order to compel her to relinquiſh the right of taking her enemies' goods on board of neutral ſhips, and " to " reſtore peace to the two hemiſpheres."

This leads us to enquire what are the motives of her preſent conduct; and give us alſo the clue whereby they may be diſcovered.

It is impoſſible to ſuppoſe that the meaſures lately adopted by France can mean no more than retaliation for the injuries which ſhe pretends to have received.

Admitting thoſe injuries to have taken place, and many of them ſhe knows never did take place, admitting all her pretenſions to be well founded, and many of them ſhe knows not to be well founded, ſtill thoſe injuries and pretenſions could never have authorized her preſent proceedings. The detention of a few privateers, and the reſtoration of a few prizes by our courts, even if illegal as ſhe pretends; the privileges ſaid to be ceded to Britain, even had they been ceded; the prohibition to arm veſſels and ſell prizes in our ports, had ſhe poſſeſſed a right to do ſo; the ſuffering a few Britiſh ſhips of war to violate our neutrality, even had we ſuffered it; more eſpecially conſidering that all theſe pretended injuries were much more than counterbalanced by real ones from her; could never have occaſioned, much leſs authorized, the univerſal capture and condemnation of our property, the impriſonment, and in many caſes which may occur, the death of our citizens, and the expulſion from her territory of a miniſter ſent to conciliate. Some other cauſe muſt be ſought for aggreſſions ſuch as theſe.

Still leſs can it be believed that mere anger and vexation at the diſappointment of her views, could have given riſe to them. They may, and no doubt, have been much aggravated by this cauſe, but it could not have produced them.

Nor can it, in my opinion, be ſuppoſed that a deſign to drive us into a ſerious quarrel with her, can have given birth to theſe meaſures. She too well knows the conſequences of ſuch a quarrel to herſelf, and its neceſſary effect in counteracting her moſt favorite ſcheme, to force it upon us. Her moſt favorite ſcheme is to undermine the naval power of England, by deſtroying the commerce whereby it is nouriſhed and ſupported. Hence, her requiſitions to Denmark, and the Hanſe Towns; hence the precipitation wherewith ſhe forced Holland and Spain into the war againſt England; hence her threats to Portugal; hence the violence wherewith in contempt of every right and every engagement ſhe ſeized Leghorn, a neutral port, in which England car-

ried on an extenſive trade; hence her oppreſſions at Genoa; and hence her unwearied efforts to work up the diſcontents between us and Britain into an open rupture. The direct and even the avowed object of all theſe meaſures has been to ſap the very foundations of the Engliſh power, by excluding its commerce from every port. But France well knows that a quarrel between her and this country, would of neceſſity bring us nearer to England. She knows that having then a common intereſt with England againſt her, this common intereſt would beget an union of means, and a co-operation of meaſures. She knows that our commerce, armed for its own defence, would float ſafely into the ports of England, under convoy of the Britiſh flag. She knows that Britain would gain our ports as ſtations for her ſhips, would be permitted to recruit her marine among our ſeamen, and to draw ſupplies of all ſorts from our country, while ſhe herſelf would be excluded from all theſe advantages. She knows that as a conſequence of theſe united meaſures, her colonies, and thoſe of Spain and Holland, which ſhe juſtly conſiders as her own, would be inſtantly deprived of all ſupplies, and muſt ſink under the arms of the two countries. She knows that the American market, already ſo great, and increaſing with a rapidity ſo incalculable, muſt in that caſe be ſecured almoſt excluſively to England, and wholly ſhut to herſelf and her aſſociates. She knows that by a war with her we ſhould be compelled to call forth our reſources for the formation of a marine, which would place us in a ſituation to be ſtill leſs in fear of her power or in need of her aſſiſtance. She knows, in fine, that a war againſt her, in which we muſt co-operate with England, would have a powerful tendency to reſtore that union of intereſts, of means, and of good will between the two countries, which, for half a century paſt has been the object of her jealouſy and dread, and, which ſhe has undertaken two wars to break. Her policy, as profound as it is atrocious, will not be confined to the preſent time only, but looks forward to the period, not a remote one, when the United States muſt,

in the neceſſary courſe of nature, become the moſt numerous, the moſt opulent, and the moſt powerful nation on earth.

I cannot, therefore, be perſuaded that France intends to quarrel ſeriouſly with this country. To think ſo I muſt ſuppoſe that her counſels are guided by paſſion and not policy; of which I have perceived no appearance. I have obſerved much wickedneſs in her plans, but no folly. I have obſerved a determination in her to oppreſs where ſhe thought it advantageous, and to deceive where ſhe could not oppreſs; to drive or ſeduce every nation into her meaſures in order to cruſh, by their aſſiſtance, thoſe whoſe powers ſhe dreaded, and on whoſe vigilance ſhe could not impoſe; in fine, to ſacrifice without remorſe, to her ambition, all thoſe whom ſhe found weak enough to become her inſtruments under the name of allies; but I have not obſerved a neglect of the means whereby her ſchemes were to be promoted, much leſs a ſyſtem of meaſures calculated to defeat them: And I firmly believe, that nothing could ſo obviouſly and ſtrongly tend to defeat her ſchemes againſt England as that cloſe union of meaſures and intereſts between the two countries, which a quarrel between us and herſelf muſt produce.

The very anxiety which ſhe has diſcovered to place the vaſt weight of this country in her own ſcale, is a ſecurity that ſhe does not intend to throw it into the ſcale of her adverſary.

Her meaſures, therefore, I believe, have a different and indeed an oppoſite object. Having failed to ſeduce, ſhe now is attempting to drive us into her ſchemes. The means which ſhe employs for effecting this purpoſe, though moſt unjuſt and atrocious, are wiſe according to the information on which ſhe acts. By this information ſhe has been wholly deceived: We know that ſhe has been deceived, in what manner and to what extent; and this knowledge gives us the true key to her preſent conduct.

In the firſt place, ſhe has been deceived by the mea-

ſures of our government. She has ſeen in them a moderation and forbearance, a deſire of peace, and a patience under her numberleſs acts of inſult and injury, which ſhe has conſtrued into a mean, ſpiritleſs, and ſubmiſſive diſpoſition. Having no idea herſelf of juſtice, good faith, or moderation, ſhe cannot conceive of them in others; and the acts which they produce, ſhe attributes to avarice, weakneſs, or fear.

To the ſame motives has ſhe imputed the ſpirit of peace and conciliation which our government has diſplayed towards England.

She has been deceived by the conduct of that party in our government, whereby the meaſures of which ſhe complains have been oppoſed. Obſerving that this party had always expreſſed very warm good will to her, and a ſtrong attachment to her cauſe, and had advocated a ſyſtem of meaſures much more conformable to her views, than that which was finally adopted, ſhe took up an opinion that they were actuated, not by a deſire to promote what they believed to be the good of their own country, but a blind devotion to her intereſts. She believed, and ſtill does believe, this to be a French party, ready to go all lengths in aſſiſting her projects, and ſufficiently powerful, if not to direct the government according to her will, at leaſt to prevent it from taking effective meaſures againſt her. It muſt be confeſſed, and a painful confeſſion it is, that there are ſome individuals whoſe conduct has given too much reaſon for this opinion; but it is alſo moſt certain, that France has fallen into an utter miſtake about the views and principles of this deſcription of our fellow-citizens in general. They, like the reſt, advocated certain meaſures, not becauſe they were thought deſirable to any foreign power, but from a belief that they were calculated to promote the good of this country: And France, ſhould ſhe puſh her experiment, will find that however the Americans may differ in opinion about the beſt method of conducting their own affairs, there will be but one mind and one ſpirit among them on the queſ-

tion of repelling foreign aggreſſion and foreign interference.

France has alſo been deceived by the conduct of the people in this country. At the commencement of her revolution ſhe ſaw them every where diſplay the ſtrongeſt proofs of attachment to her cauſe, and good wiſhes for her ſucceſs. She ſaw her miniſter, on his arrival in this country, received with the warmeſt cordiality. She heard the whole American people exultingly hail the birth of a new republic, in a nation which they fondly called their ally and friend; and to which they were proud to acknowledge their obligations and their gratitude. Far from aſcribing theſe generous effuſions to their true ſource, ſhe regarded them as proofs of a blind and ſlaviſh attachment to her intereſts; and when ſhe ſaw the government repel her attempts, and ſteadily refuſe to come into her meaſures, ſhe ſuppoſed that it acted in oppoſition to the wiſhes of the people, by whom, in caſe of a ſtruggle, it would not be ſupported.

She had obſerved, alſo, a ſtrong and univerſal reſentment, excited throughout this country, by the aggreſſions of England; and this ſhe conſtrued into a deadly and laſting hatred to the Britiſh nation, which would at all times incline the people to war with it, and render any co-operation or union of meaſures between the two countries, difficult, if not impoſſible.

In theſe two points, ſhe miſtakes as widely as in the former. We were delighted with the French revolution, becauſe we thought that it would beſtow liberty and happineſs on a great people. We felt affection to France, becauſe we conſidered her as our ally and our friend. We felt grateful for her aſſiſtance, becauſe it had been highly uſeful to us. But when theſe ſervices are made the pretence for the moſt inadmiſſible demands; when, inſtead of an ally and a friend, we find her a proud and unjuſt aſſailant, we feel a reſentment proportioned to the injury, and ſtrengthened by the reflection that this injury comes from a quarter, where we had given friendſhip and expected to find it.

So, with reſpect to England, when her injuries ceaſed,

and an honourable reparation was agreed to, we thought our reſentment ought alſo to ceaſe.

In theſe miſtakes there can be no doubt that France has been greatly fortified by her emiſſaries in this country, and by ſome of our citizens both here and in Europe. They have confirmed her in the idea, to adopt the expreſſion of General Pinckney, in his letter of December 20th, 1796, "that our government acts "upon principles oppoſed to the ſentiments of a large "majority of our people; that we are a people divided "by party, the mere creatures of foreign influence, "and regardleſs of our national character, honor and "intereſt."

Believing, therefore, that the government, torn by party, is too feeble to reſiſt her; that thwarted in its operations by the affections, the ſentiments, and the wiſhes of the people, it will be unable to oppoſe any effectual exertions againſt her attacks; that a powerful party in the government, and a great majority of the people, will take part with her againſt the government itſelf, or at leaſt will withhold from it effectual ſupport; that the people, wholly immerſed in the purſuits of gain, have loſt that martial ſpirit whereby they were diſtinguiſhed in the late war, and will ſubmit to any indignities or injuries, rather than riſk their perſons and wealth in a conteſt; ſhe has come to a reſolution to attack and pillage us, to mal-treat us in every manner, and to refuſe all intercourſe with us, in the firm perſuaſion that the government, however unwillingly, will be obliged to yield; and that we ſhall ſubmit to her terms as the price of her forbearance.

Theſe terms, in ſubſtance and neceſſary effect are, a rupture with Britain, and the excluſion of her commerce from our ports; and ſuch a conſtruction with the treaty of France as ſhall permit her to arm veſſels, inliſt crews, and ſell prizes in our country, free from the interference of our courts of juſtice.

Should ſhe even fail in this, ſtill ſhe has no doubt that we, from our deſire of peace, will always be ready to make an accommodation, and to relinquiſh our

claim to indemnity as the price of deliverance from further aggreſſion. In the mean time ſhe will accompliſh, ſhe thinks, two very important objects; ſhe will wound the commerce of England through our ſides; and, by plundering us, ſhe will not only acquire ſome aid to her treaſury, but alſo give employment and ſupport to great numbers of her people. A third object, and of no ſmall importance, will be the deſtruction, in part, of our reſources; whereby we ſhould be rendered more dependant on her as allies, and leſs formidable as enemies.

Such, in my opinion, my fellow-citizens, are the objects of France in her preſent meaſures towards this country; and I am firmly perſuaded, that the only method of inducing her to abandon thoſe meaſures, is to convince her, by our conduct, that they will not be effectual: to convince her by firm, united, and vigorous meaſures, that her opinions reſpecting us are erroneous; and, that we are determined, at all hazards, and under any poſſible ſacrifice, to maintain our rights, repel unjuſt attacks, and ſeek reparation for injuries wantonly committed: That we are not a feeble, puſillanimous, or divided people, oppoſed to our own government, and ready to acquieſce in, or aid the interference of foreigners in our affairs. We ought to ſhew them, at the ſame time, that while we are reſolved to repel injury, we are willing to make every reaſonable advance towards a juſt accommodation: That while we prepare firmly and vigorouſly for war, we are deſirous of cultivating peace, as long as any hope of preſerving it remains: That although we mean to appeal firmly to the ſword, if driven to that extremity, we ſhall make the appeal with reluctance and regret.

This is the ſyſtem recommended by the Preſident, in his ſpeech to both Houſes, at the opening of Congreſs. He declares his reſolution to make another attempt to negociate, and recommends that this attempt ſhould be fortified and ſeconded by ſerious preparations at home. This will give weight to our complaints;

and, ſhould redreſs be refuſed, will place us in a ſituation to meet the unfavourable event with energy and ſucceſs. I perfectly concur in theſe ſentiments, and ſhall give my voice for ſupporting them in the Houſe in the moſt efficacious manner. The ſubject is now under diſcuſſion, and I have reaſon to believe, that the ſyſtem recommended by the Preſident will be adopted.

This ſyſtem is exactly conformable to that which was formerly adopted reſpecting Britain. When Britain, after repeated remonſtrances on our part, continued her depredations on our commerce, though in ſo doing ſhe broke no treaty, though ſhe did not recal her miniſter or drive away ours, we reſolved to prepare for reſiſtance, but in the meantime to make another attempt by negociation; and, fortunately, the attempt was ſucceſsful. Britain gave up her meaſures, and agreed to make reſtitution for the paſt. Should France be induced to act in the ſame manner, we ſhall once more have the ſatisfaction of ſeeing our rights vindicated by that union of moderation and firmneſs which has heretofore redounded ſo much to the honor and advantage of our country. Should ſhe refuſe, and war prove neceſſary, the recollection that we have done all in our power to avoid it, will enable us to ſupport the ſtruggle with unanimity and fortitude.

Should the ſyſtem recommended by the Preſident be adopted, it is impoſſible to foreſee what particular meaſures of preparation will be preferred. As to the perſon to be ſent to France, there can be no doubt that it will be General Pinckney. The firmneſs, good ſenſe, and moderation which he diſplayed while in Paris, reflect honour on himſelf and the country, and have received univerſal approbation here. It is agreed by all parties, that our honor and intereſts can be no where ſafer than in his hands.

Such, my fellow-citizens, is the ſyſtem of meaſures towards France, which, in my opinion, ought to be adopted. I am perſuaded that they intend not to make war upon us, but to ſcourge and frighten us into ſub-

miſſion: and, that the only poſſible method of making them deſiſt from the attempt, is to convince them, not merely by declarations, but by effectual preparations for war, that we are not frightened, and will not ſubmit to be ſcourged. When they underſtand this, I am fully perſuaded that they will abandon their project. Our negociation, I believe, will be ſucceſsful; but the foundations of ſucceſs muſt be laid in the Houſe of Repreſentatives; and thoſe foundations muſt be vigorous and effectual preparations for war. We muſt conſider ourſelves as in the preſence of a bully, who can be prevented from ſtriking us in no manner but by ſhewing him that we are able and reſolved to return the blow.

Should I, however, miſtake in all this, ſtill the ſame ſyſtem will be right. Should the views of France be different from what I have ſuppoſed; "ſhould the plan "of French aggrandizement," to borrow the words of an elegant ſpeaker in the Houſe of Repreſentatives, "re-"quire America to be driven into the war, war we ſhall "have, in ſpite of all our peaceable endeavours to "avert it; and, in that caſe, the ſooner we ſet about "ſerious preparations, the better we ſhall be able to "repel and retort the attack."

Thus, in either caſe, our courſe muſt be the ſame. Whether France intends to make war upon us, to bully us, or, under pretence of "juſt diſpleaſure," to continue her depredations on us for the purpoſe of injuring England, as long as we will ſubmit to them, ſtill our wiſdom lies in ſpeedy and effectual preparation.

Should any aſk what are the sacrifices we muſt incur by a war, and what are our means of becoming formidable to France? I would anſwer that, as to ſacrifices, the greateſt we can make is that of our rights and independence; that war is an evil always to be avoided, but infinitely leſs than national degradation, and ſubmiſſion to the will of a foreign power; that every poſſible loſs of property and lives may be repaired by time and induſtry, if we preſerve our honour and our government; but that theſe once loſt, can never be re-

ſtored; in fine, that a nation which weighs its purſe againſt its rights, never fails in the end to loſe both one and the other.

To ſhew that we will ſubmit to injuries for fear of loſs, amounts to bribing foreign nations with our own money to inſult and attack us.

I would anſwer, that we magnanimouſly reſolved to reſiſt the power of Britain more than twenty years ago, when our reſources were infinitely leſs than at preſent, and our ſituation for employing them far more diſadvantageous; and that this reſolution created the means of reſiſtance. I would anſwer, that we poſſeſs a population probably little ſhort of ſix millions; a country abounding with every thing neceſſary for the ſubſiſtence and arming of troops; more ſhips and ſailors than any nation on earth except England; an extenſive revenue not felt by the people, and capable of very great increaſe, without oppreſſion; an union among ourſelves, cemented by habit, mutual intereſt, and affection; a martial ſpirit and enterprize, which ſo glorioufly diſplayed itſelf in the war for our independence; experienced officers formed in that war, and ſtill ready to bleed for their country; a wiſe government poſſeſſing our confidence, and capable of uniting and directing our exertions; in a word, that ſteady perſevering courage, that lofty unconquerable ſpirit of independence, wherein the true ſtrength of nations conſiſts, more than in population, in wealth, in fleets, in armies, or in generals; and which, wherever it exiſts, finds all other means or makes them.

I would anſwer that, we ſtill poſſeſs WASHINGTON, the Hero and Patriot, who conducted us with ſo much glory through our former ſtruggle, and whoſe martial figure, which age has rendered more venerable, without impairing its ſtrength, would again be ſeen at the head of our armies.

I would anſwer that, with not half our numbers, few of our other advantages, and in a ſituation far more contiguous and more expoſed, the Swiſs have courageouſly and ſucceſsfully maintained their rights, and

preserved their tranquillity, by thoſe measures which we now recommend, by proving to all parties, that though desirous of peace they were prepared for war; were prepared to place their houses, their families, and the bones of their fathers, under the protection of their swords, and to stake the last drop of their blood on the success of the contest.

I would answer that, if driven into a war we can buy at a price, cheap to ourselves, the full co-operation of the British navy; that our numerous merchant ships can speedily be converted into ships of war; that, by withholding supplies from France and her allies in the West Indies we can most effectually aid the operations of her enemies; that Britain being thus enabled, to call home a great part of her present force in the West Indies, will encrease still more her internal safety, and the superiority of her navy in Europe; and, that New Orleans and the Floridas must fall into our hands, whereby we ſhall secure the navigation of the Mississipi, free ourselves from a troublesome neighbour, and obtain complete controul over the Southern Indians.

I would answer, in fine, in the words of a celebrated writer, "that where courage is not wanting, all other "means will be found or created."

I might conclude this long address, my fellow citizens, by an exhortation to summon up your fortitude, and prepare bravely to meet the attacks which may be made on our country. The subject supplies ample materials for an appeal to all the feelings which distinguish the Patriot and the Hero. But I know it is not neceſſary. The men who fought at King's Mountain and the Cowpens, do not need an exhortation, to bleed for their country, should she be forced to call for their assistance: And I know that, in case of that awful event, which we so anxiously desire to avert, America will again find the sons of ninety-six district among the braveſt of her defenders.

Philadelphia, May 25th, 1797.

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DEDICATED TO

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THE

LIVES

OF THE

ENGLISH REGICIDES,

AND OTHER

COMMISSIONERS

OF THE PRETENDED

HIGH COURT OF JUSTICE,

Appointed to ſit in Judgment upon their Sovereign,

KING CHARLES THE FIRST.

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RECTOR OF BARMING, IN KENT, AND

DOMESTIC CHAPLAIN TO GEORGE EARL OF LEICESTER.

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